

USAFE STRUCTURES BOARD HEARING MINUTES OF JANUARY 21ST, 2004

Members Present: James Cueva, C Gordon Loader, VC Abel Ramirez
Jose Vera James Starkweather Kevin Deeb
Alberto Milian

Excused: Enrique Crooks Walter Williams Mark Trowbridge

Staff: Theodore Berman, Clerk of the Board
Latisha Byrd, Recording Secretary
Glenn Saks, Assistant County Attorney

Court Reporter: Lorena Ramos, Metro Dade Court Reporter

The regular meeting of the **UNSAFE STRUCTURES BOARD** was called to order at 2:45 P.M. on Wednesday, January 21st, 2004, on the 16th Floor, Conference Room 1605, of the Metro-Dade Flagler Building at 140 W. Flagler Street, Miami-Dade, Florida 33130.

Mr. Cueva requested a motion to approve and accept the minutes of the October 15th, 2003 Unsafe Structures Board Meeting. Mr. Starkweather moved to accept the minutes of the board meeting. Mr. Milian seconded the motion.

Motion passed unanimously.

(For a verbatim version, please refer to the transcripts)

Mr. Cueva changed the sequence of the board hearing due to the fact that board was behind schedule. He then started the heard cases instead of announcing the list of cases that were agreed upon, uncontested, withdrawn or deferred. He informed everyone that Mr. Berman will announce them after the last heard case.

Mr. Cueva informed those appellants who were able to come to an amicable agreement with the Building Official that the Board will ratified the agreements after the last heard case and they were free to leave.

The Building Officials and Appellants being heard by the Unsafe Structure Board were sworn in at 2:46 P.M. by the court reporter.

Mr. Berman called forth the first case to be heard by the Unincorporated Miami-Dade, Unsafe Structures Unit.

Unincorporated Miami-Dade County Case:

DC98-783U 2770 NW 55 Street

Mr. Orlando Vega, Building Inspector introduced photographs and a case resume into evident to be reviewed by the Board.

Mr. Vega gave an account of the structures and recommended that "said structure(s) (A) & (B) be secured within five (5) working days. The following securing method id approved: Storm Shutters (1/2 plywood, bolts and lumber as specs). The structure(s) are to be maintained secure,

clean and sanitary. Free of debris, overgrown grass or weeds and free of discoloration or graffiti. Said structure (A) must be repaired or completed with Engineer's Certification and Architect/Engineer's sealed plans and structure (B) must be repaired or completed with plans prepared by an Architect/Engineer or a qualified individual. A building permit must be obtained for structures (A) & (B) for all repairs or items to be completed for all structures. The permit documents shall be submitted FIRST to the Unsafe Structures Unit for approval. The building permit must be obtained by a licensed contractor or a qualified homeowner pursuant to Section 10-5(2) of the Miami-Dade County Code within sixty (60) days from today. The completion or repair of said structures (A) & (B) shall conform to the Florida Building Code unless application is made pursuant to the provisions of Section 8-11(g) of the code of Miami Dade County and shall be completed within one hundred eighty (180) days after obtaining the permit. Completion shall be determined when a final inspection approval is obtained on the building permit. If any of the above conditions are not complied with, said structures shall be demolished by the enforcing municipality as soon as possible."

Mr. Vega then gave the status of structure (C) and recommended "said structure must be demolished by an individual qualified to obtain a demolition permit within sixty (60) days from today from the Unsafe Structure Unit. All debris resulting from the demolition shall be removed from the premises. If any of the above conditions are not complied with, said structure shall be demolished by the enforcing municipality as soon as possible."

Mr. Richard Dogan, property owner stated that the blue prints recently got into his possession on January 20, 2004. He also stated that each time he took them back, he was sent back because all the measurements did not pass inspection. Mr. Dogan then requested more time to pull permits to complete the repairs.

Mr. Navarro enlightens the board that the property owner has not done any repairs to the property for 6 years.

Mr. Cueva asked Mr. Vega if this was a zoning issue.

Mr. Vega replied "yes."

Mr. Starkweather then asked was anyone living on property.

Mr. Dogan replied "no."

Mr. Errickson pointed out that the roof section is being held up by post shores.

After some discussion, Mr. Milian moved that "said structure(s) (A), (B) & (C) be secured within five (5) working days. The following securing method is approved: Storm Shutters (1/2 plywood, bolts and lumber as specs). The structure(s) are to be maintained secure, clean and sanitary. Free of debris, overgrown grass or weeds and free of discoloration or graffiti. Said structures (A), (B) & (C) must be repaired or completed. A building permit must be obtained for all repairs or items to be completed for all structures. The permit documents shall be submitted FIRST to the Unsafe Structures Unit for approval. The building permit must be obtained by a licensed contractor or a qualified homeowner pursuant to Section 10-5(2) of the Miami-Dade County Code within ninety (90) days from today. The completion or repair of said structures (A) & (B) shall conform to the

Florida Building Code unless application is made pursuant to the provisions of Section 8-11(g) of the code of Miami Dade County and shall be completed within one hundred eighty (180) days after obtaining the permit. Completion shall be determined when a final inspection approval is obtained on the building permit. If any of the above conditions are not complied with, said structures shall be demolished by the enforcing municipality as soon as possible. The complete building or structure (C) shall be made to conform to all the Florida Building Code requirements for a new building or structure and shall be completed within one hundred eighty (180) days after obtaining the permit. Completion shall be determined when a final inspection approval is obtained on the building permit. If any of the above conditions are not complied with, said structure shall be demolished by the enforcing municipality as soon as possible.” Mr. Ramirez seconded the motion.

Motion passed unanimously.

(For a verbatim version, please refer to the transcripts)

Mr. Berman called forth the second case to be heard by the City of Miami Beach, Unsafe Structures Unit.

City of Miami Beach Case:

BV04-000098

1475 Collins Avenue

Ms. Rhonda Montoya-Hasan, Building Inspector introduced photographs and a case resume into evident to be reviewed by the Board.

Ms. Montoya-Hasan gave an account of the structures and recommended that “said structure must be demolished by an individual qualified to obtain a demolition permit within thirty (30) days from today from the Unsafe Structure Unit. All debris resulting from the demolition shall be removed from the premises. If any of the above conditions are not complied with, said structure shall be demolished by the enforcing municipality as soon as possible.”

Mr. Alex Barthet, Attorney stated that Mr. Harold Rosen, the original attorney for the case has taken ill and he was now representing the property owner. He informed the board that the hotel is a historic building. Mr. Barthet stated that the City of Miami Beach asked for the hotel to be boarded and they complied. He also informed the board that the report that everyone is looking at from the Blue Panel by the two engineers that was not selected by the property owner, it was selected by the City. Mr. Barthet stated that the end result and the conclusion of those reports are the issues associated with the building being able to be repaired. He also stated that he believed that the repairs were done with full access and visibility to the ceilings, walls, and floors. Mr. Barthet also informed the board that the spauling was noted in the report, but their conclusion was that the foundation is stable with no visible cracking.

Mr. Cueva asked Mr. Barthet does he know where.

Mr. Barthet replied “at the end.”

Mr. Milian asked Mr. Barthet what kind of relief they were seeking.

Mr. Barthet replied that they are seeking that the building does not get demolished and be declared safe for the purpose after internal shoring and bracing is done to continue the remodeling upon the issuance of the proper permits.

Mr. Milian asked how much time they are asking to pull the permits with the condition that the shoring is in and to do the repairs.

Mr. Azan interrupted to inform the board that all the floors in the five-story building are deteriorated. He stated that there is no way to save it. Mr. Azan also informed the board that the building is sitting close between Collins and 15 Street to the sidewalk and there isn't any room to do any type of bracing from the exterior of the building.

Mr. Cueva read the shoring engineer report that indicated that the work that was done illegally without permits by an unlicensed contractor and the city issued a notice of violation for aiding an abetting.

Mr. Starkweather stated that the property owner began shoring the building, but they have not obtained any permits and no one has been in the building.

Mr. Milian asked the City if they were willing to sit down to work out a schedule of shoring to make it safe and to give the property owner more time to pull the permits.

Ms. Montoya-Hassan replied that the work was done without a permit. She informed the board that the property is unstable and no more time will be granted by the City to do any repairs.

Mr. Francisco stated that the shoring was done on a few floors and all the work that needs to be done is inside the building.

Mr. Barthet informed the board that the property owner needed two years to complete all repairs.

Ms. Montoya-Hasan informed the board that the property owner has not given the City anything.

Mr. Loader asked if any test were conducted.

After some discussion, Mr. Starkweather moved to uphold the Building Official's recommendation. Mr. Vera seconded the motion.

Mr. Berman administered a roll call vote as requested by the Chairman.

Motion passed unanimously.

(For a verbatim version, please refer to the transcripts)

Mr. Berman called forth the third case to be heard by the Unincorporated Miami-Dade, Unsafe Structures Unit.

Unincorporated Miami-Dade County Case:

DC200316210U

10429 NW 33 Avenue

Mr. Spencer Errickson, Building Inspector introduced photographs and a case resume into evidence to be reviewed by the Board.

Mr. Errickson gave an account of the structure and recommended that “said structure(s) are to be maintained secure, clean and sanitary. Free of debris, overgrown grass or weeds and free of discoloration or graffiti. Said structures (A) & (I) must be repaired or completed. A building permit for structures must be obtained for all repairs or items to be completed. The permit documents shall be submitted FIRST to the Unsafe Structures Unit for approval. The building permit must be obtained by a licensed contractor or a qualified homeowner pursuant to Section 10-5(2) of the Miami-Dade County Code within ninety (90) days from today. The completion or repair of said structures (A) & (I) shall conform to the Florida Building Code unless application is made pursuant to the provisions of Section 8-11(g) of the code of Miami Dade County and shall be completed within one hundred twenty (120) days after obtaining the permit. Completion shall be determined when a final inspection approval is obtained on the building permit. If any of the above conditions are not complied with, said structures shall be demolished by the enforcing municipality as soon as possible.”

Mr. Errickson then gave the status of structures (B), (C), (D), (E), (H), (J) & (K) and recommended “said structures must be demolished by an individual qualified to obtain a demolition permit within thirty (30) days from today from the Unsafe Structure Unit. All debris resulting from the demolition shall be removed from the premises. If any of the above conditions are not complied with, said structures shall be demolished by the enforcing municipality as soon as possible.”

Mr. Errickson reminded the board that this case had been before the board prior and the board gave the owner advice to seek financial assistance.

Prior to the start of the case Mr. Berman informed the Board that the owner of the property only speaks Spanish and would need an interpreter.

Through interpretation of Mr. Navarro, Ms. Clotilde Alvarez homeowner, informed the board that she purchased the house 34 years ago and explained that the first time she was before the board, the Unsafe Structures Unit wanted to have her structure demolished. She informed the board that she wasn’t aware of any permits to demolish the structures. She also explained to the board that there is a small room that was built without permits, but she is not financially able to demolish it. Ms. Alvarez informed the board that this situation had been a lot on her because of her bad health. She also showed the board pictures to show proof that she had made progress to do the work.

After some discussion, the Asst. County Attorney, Glenn Saks advised Mr. Navarro that he could not interpret what the owner has to say to the board.

Ms. Gloria Alvarez, daughter of property owner interpreted what her mother had to say to the board and confirmed that Mr. Navarro did do proper translation.

Mr. Cueva asked Ms. Alvarez what she planned to do with property.

Through interpretation of Ms. Gloria Alvarez, Ms. Alvarez replied that she had gone to several agencies and no one was able to assist her.

Mr. Milian asked Mr. Errickson will there be a lien on the property if the structures were to be demolished.

Mr. Errickson replied “yes” and the CBS dwelling as well.

Through interpretation of Ms. Gloria Alvarez, Ms. Alvarez stated that the carport alone takes up all of her finances.

Mr. Millian stressed to the board that Ms. Alvarez doesn’t have funds and they will either have to give her more time or uphold the building official’s recommendation.

Mr. Cueva informed the board that structures (F) & (G) recommends “no action required”, by the Building Official.

Mr. Errickson informed the board that he amended his recommendation to maintain secure, clean and sanitary. Free of debris, overgrown grass or weeds and free of discoloration or graffiti. Said structures (A) & (I) must be repaired or completed. Said structures (B) & (E) shall be demolished. All debris resulting from the demolition shall be removed from the premises. Said structures (C) & (D) shall be demolished by a licensed contractor or a qualified homeowner pursuant to Section 10-5(2) of the Miami-Dade County Code with a demolition permit to be obtained within one hundred eighty (180) days from today from the Unsafe Structures Unit. The demolition must be completed within one hundred eighty (180) days of obtaining the permit. All debris resulting from the demolition shall be removed from the premises. The Unsafe Structures Board shall retain jurisdiction.

After some discussion, Mr. Loader moved to uphold the building official’s recommendation. Mr. Vera seconded the motion.

Mr. Berman administered a roll call vote as requested by the Chairman.

Motion passed unanimously.

(For a verbatim version, please refer to the transcripts)

Mr. Berman called forth the fourth case to be heard by the Unincorporated Miami-Dade, Unsafe Structures Unit.

Unincorporated Miami-Dade County Case:

DC200318999U

5461 NW 179 Terrace

Mr. Antonio Brina, Building Inspector introduced photographs and a case resume into evident to be reviewed by the Board.

Mr. Brina gave an account of the structure and recommended that “said structure shall be demolished by a licensed contractor or a qualified homeowner pursuant to Section 10-5(2) of the Miami-Dade County Code with a demolition permit obtained within thirty (30) days from today from the Unsafe Structures Unit. All debris resulting from the demolition shall be removed from the premises. If any of the above conditions are not complied with, said structure shall be demolished by the enforcing municipality as soon as possible.”

Mr. Orlando Diaz, Representative of owner stated that there are things the property owner needs to do prior to what need to be done to the property.

Mr. Cueva asked how long has he worked on the property.

Mr. Diaz replied that the property was bought with the violation and the problems were inherited from the previous owner.

Mr. Starkweather asked if the property owner was aware of any permits for the structures.

Mr. Diaz replied that the property owner was not aware of any violation at the time of purchasing the home.

After some discussion, Mr. Milian made a motion that “said structure(s) are to be maintained secure, clean and sanitary. Free of debris, overgrown grass or weeds and free of discoloration or graffiti. Said structure must be repaired or completed with Engineer’s Certification and Architect/Engineer’s sealed plans. A building permit for structure must be obtained for all repairs or items to be completed. The permit documents shall be submitted FIRST to the Unsafe Structures Unit for approval. The building permit must be obtained by a licensed contractor or a qualified homeowner pursuant to Section 10-5(2) of the Miami-Dade County Code within one hundred eighty (180) days from today. The completion or repair of said structure shall conform to the Florida Building Code unless application is made pursuant to the provisions of Section 8-11(g) of the code of Miami Dade County and shall be completed within one hundred eighty (180) days after obtaining the permit. Completion shall be determined when a final inspection approval is obtained on the building permit. If any of the above conditions are not complied with, said structure shall be demolished by the enforcing municipality as soon as possible. Unsafe Structures Board shall retain jurisdiction on this matter.” Mr. Ramirez seconded the motion.

Mr. Berman administered a roll call vote as requested by the Chairman.

Motions passed unanimously.

(For a verbatim version, please refer to the transcripts)

Mr. Berman called forth the fifth case to be heard by the Unincorporated Miami-Dade, Unsafe Structures Unit.

Unincorporated Miami-Dade County Case:

DC200318748U

1936 NW 54 Street

Mr. Orlando Vega, Building Inspector introduced photographs and a case resume into evident to be reviewed by the Board.

Mr. Vega gave an account of the structure and recommended that “said structure shall be demolished by a licensed contractor or a qualified homeowner pursuant to Section 10-5(2) of the Miami-Dade County Code with a demolition permit obtained within thirty (30) days from today from the Unsafe Structures Unit. All debris resulting from the demolition shall be removed from the premises. If any of the above conditions are not complied with, said structure shall be demolished by the enforcing municipality as soon as possible.”

Ms. Phyliss Williams, daughter of the property owner stated that when they originally received the notice of violation, they were aware of what to do. She informed the board that the problem aroused today when they were told that the wall had to be demolished and it was not supposed to. She then asked the board to disregard and find the owner in compliance.

Mr. Vega informed the board that the Building Inspector made an error, which put the building department in a bad situation and this is a zoning issue.

After some discussion, Mr. Milian made a motion that “said structure are to be maintained secure, clean and sanitary. Free of debris, overgrown grass or weeds and free of discoloration or graffiti. Said structure (B) must be repaired or completed. A building permit for structure must be obtained for all repairs or items to be completed. The permit documents shall be submitted FIRST to the Unsafe Structures Unit for approval. The building permit must be obtained by a licensed contractor or a qualified homeowner pursuant to Section 10-5(2) of the Miami-Dade County Code within sixty (60) days from today. The completion or repair of said structure (B) shall conform to the Florida Building Code unless application is made pursuant to the provisions of Section 8-11(g) of the code of Miami Dade County and shall be completed within sixty (60) days after obtaining the permit. Completion shall be determined when a final inspection approval is obtained on the building permit. If any of the above conditions are not complied with, said structure shall be demolished by the enforcing municipality as soon as possible.” Mr. Deeb seconded the motion.

Mr. Berman administered a roll call vote as requested by the Chairman.

Motions passed unanimously.

(For a verbatim version, please refer to the transcripts)

Mr. Berman called forth the sixth case to be heard by the Unincorporated Miami-Dade, Unsafe Structures Unit.

Unincorporated Miami-Dade County Case:

DC200318749U

1932 NW 54 Street

Mr. Orlando Vega, Building Inspector introduced photographs and a case resume into evident to be reviewed by the Board.

Mr. Vega gave an account of the structures and recommended that “said structure (A) be secured within five (5) working days. The following securing method is approved: Storm Shutters (1/2 plywood, bolts and lumber as specs). Said structures are to be maintained secure, clean and sanitary, free of debris, overgrown grass or weeds and free of discoloration or graffiti. Said structure (A) must be repaired or completed with Engineer’s Certification and Architect/Engineer’s sealed plans and said structures (C) & (D) must be repaired or completed. A building permit for structures (A), (C) & (D) must be obtained for all repairs or items to be completed. The permit documents shall be submitted FIRST to the Unsafe Structures Unit for approval. The building permit must be obtained by a licensed contractor or a qualified homeowner pursuant to Section 10-5(2) of the Miami-Dade County Code within sixty (60) days from today. The completion or repair of said structures (A), (C) & (D) shall conform to the Florida Building Code unless application is made pursuant to the provisions of Section 8-11(g) of

the code of Miami Dade County and shall be completed within one hundred eighty (180) days after obtaining the permit. Completion shall be determined when a final inspection approval is obtained on the building permit. If any of the above conditions are not complied with, said structures shall be demolished by the enforcing municipality as soon as possible.”

Mr. Cruz then gave an account of structure (B) and recommended that “said structure (B) shall be demolished by a licensed contractor or a qualified homeowner pursuant to Section 10-5(2) of the Miami-Dade County Code with a demolition permit obtained within sixty (60) days from today from the Unsafe Structures Unit. All debris resulting from the demolition shall be removed from the premises. If any of the above conditions are not complied with, said structure shall be demolished by the enforcing municipality as soon as possible.”

Ms. Phyllis Williams stated that the structure was never a dwelling and it is not deteriorated. She informed the board that the inspector can re-inspect to see that it is safe and should not be included on the Notice of Violation. Ms. Williams asked the board to dismiss the case.

Mr. Navarro informed the property owner that a 40-year certification is to be continued of use.

Ms. Williams stated that she renewed a 40-year certification and submitted it to the building department.

Mr. Navarro enlighten the property owner that when a building is older than 40 years, the owner will need to submit a certification every 10 years after.

After some discussion, Mr. Loader made a motion that “said structure (A) must be secured within five (5) working days. The following securing method is approved: Storm Shutters (1/2 plywood, bolts and lumber as specs). The structure(s) are to be maintained secure, clean and sanitary. Free of debris, overgrown grass or weeds and free of discoloration or graffiti. Said structure (A) must be repaired or completed with Engineer’s Certification and Architect/Engineer’s sealed plans. Said structures (C) & (D) must be repaired or completed. A building permit for structures must be obtained for all repairs or items to be completed. The permit documents shall be submitted FIRST to the Unsafe Structures Unit for approval. The building permit must be obtained by a licensed contractor or a qualified homeowner pursuant to Section 10-5(2) of the Miami-Dade County Code within two hundred seventy (270) days from today. The completion or repair of said structures (A), (B), (C) & (D) shall conform to the Florida Building Code unless application is made pursuant to the provisions of Section 8-11(g) of the code of Miami Dade County and shall be completed within one hundred eighty (180) days after obtaining the permit. Completion shall be determined when a final inspection approval is obtained on the building permit. If any of the above conditions are not complied with, said structures shall be demolished by the enforcing municipality as soon as possible. Said structure (A) must obtain a 40-year recertification report within 90 days from today.” Mr. Milian seconded the motion.

Mr. Berman administered a roll call vote as requested by the Chairman.

Motions passed unanimously.

(For a verbatim version, please refer to the transcripts)

Mr. Berman called forth the seventh case to be heard by the Unincorporated Miami-Dade, Unsafe Structures Unit.

Unincorporated Miami-Dade County Case:

DC200319013U

2765 NW 44 Street

Mr. Orlando Vega, Building Inspector introduced photographs and a case resume into evident to be reviewed by the Board.

Mr. Vega gave an account of the structure and recommended that “said structure shall be demolished by a licensed contractor or a qualified homeowner pursuant to Section 10-5(2) of the Miami-Dade County Code with a demolition permit obtained within thirty (30) days from today from the Unsafe Structures Unit. All debris resulting from the demolition shall be removed from the premises. If any of the above conditions are not complied with, said structure shall be demolished by the enforcing municipality as soon as possible.”

Mr. Maurice Christopher, grandson of the owner stated that the owner would need more time to complete repairs.

Mr. Vega mentioned to the board that the structures are unsafe and not repairable.

Mr. Ramirez informed the owner that he would be spending more money to demolish and rebuild.

Mr. Loader stated that the structures are not in danger to the public, he will grant the property owner more time.

Mr. Milian asked Mr. Navarro what is a substantial time to give an owner to get a permit.

Mr. Navarro replied 4 to 6 months.

After some discussion, Mr. Deeb made a motion to defer this case for 30 days. Mr. Starkweather seconded the motion.

Mr. Berman administered a roll call vote as requested by the Chairman.

Motion did not pass.

After some more discussion, Mr. Milian made a motion that “said structure(s) are to be maintained secure, clean and sanitary. Free of debris, overgrown grass or weeds and free of discoloration or graffiti. Said structure must be repaired or completed with Engineer’s Certification and Architect/Engineer’s sealed plans. A building permit must be obtained for all repairs or items to be completed. The permit documents shall be submitted FIRST to the Unsafe Structures Unit for approval. The building permit must be obtained by a licensed contractor or a qualified homeowner pursuant to Section 10-5(2) of the Miami-Dade County Code within one hundred eighty (180) days from today. The completion or repair of said structure shall conform to the Florida Building Code unless application is made pursuant to the provisions of Section 8-11(g) of the code of Miami Dade County and shall be completed within one hundred eighty (180) days after obtaining the permit. Completion shall be determined when a final inspection approval is obtained on the building permit. If any of the above conditions are not complied with, said structure shall be demolished by the enforcing municipality as soon as possible.” Mr. Vera seconded the motion.

Mr. Berman administered a roll call vote as requested by the Chairman.

Motions passed unanimously.

(For a verbatim version, please refer to the transcripts)

Mr. Berman then called for the list of cases that were agreed upon, uncontested, withdrawn or deferred.

Mr. Berman proceeded to inform the members that the following Unincorporated Miami-Dade County and City of Miami cases were **withdrawn** per the Building Official.

Unincorporated Miami Dade Cases: Deferred to January 21, 2004 USSB

DCF2001102398U	20305 Ingraham Highway
DC200214296U	665 NW 151 Street
DC200316378U	20533 NW 44 Place
DC200320111U	16150 NW 40 Court

Unincorporated Miami Dade Cases: Regular Scheduled for January 21, 2004 USSB

DC98573UT	29460 California Road
DC200319200U	2195 NW 119 Street
DC200320230U	5980 SW 47 Street
DC200320622U	2226 NW 84 Street
DC2003016977U	2346 NW 64 Street

City of Miami Cases: Deferred to January 21, 2004 USSB

M03-094	1 NE 50 Terrace
M03-102	2812 SW 10 Street
M03-103	5852 NW 13 Avenue

Mr. Berman then announced that the following Unincorporated Miami-Dade County, Village of Palmetto Bay and City of Miami cases have made **agreements with the Building Official:**

Unincorporated Miami-Dade County Cases: Deferred to January 21, 2004 USSB

DCF2000101918U	2620 NW 27 Avenue
DC200211703U	3071 NW 45 Street A/K/A 3067 NW 45 Street
DC2003019384U	6112 NW 22 Avenue
DC2003019454U	2956 NW 48 Street
DC200316261U	7200 Crandon Blvd.
DC200316357U	20641 NW 37 Court
DC200317355U	5700 NW 31 Avenue
DC200317815U	2615 NW 68 Street
DC200317942U	5539 NW 31 Avenue
DC200318673U	2391 NW 171 Terrace
DC200318686U	20430 NW 22 Avenue
DC200318746U	6108 NW 22 Avenue
DC200319286U	15421 NW 29 Avenue

Unincorporated Miami-Dade County Cases: Regular Scheduled for January 21, 2004 USSB

DC200109182U	11340 Biscayne Blvd.
DCF2001102461U	4900 SW 118 Avenue
DC200212779U	15141 NW 32 Avenue
DC200315998U	11345 SW 56 Street
DC200317383U	3084 NW 55 Street
DC200318334U	2911 NW 66 Street
DC200318937U	11760 SW 181 Street
DC200319027U	2971 NW 51 Street
DC200319078U	4779 NW 22 Avenue
DC200319227U	2490 NW 155 Street
DC200320230U	821 NW 100 Street
DC200320610U	2001-33 NW 95 Street

City of Miami Case: Deferred to January 21, 2004 USSB

M03-101	2363 W. Flagler Street
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Village of Palmetto Bay Cases: Deferred to January 21, 2004 USSB

PB2003-001	9841 East Fern Street
PB2003-002	9855 East Fern Street
PB2003-003	9869 East Fern Street

Village of Palmetto Bay Case: Regular Scheduled of January 21, 2004 USSB

PB2003-007	9799 SW 182 Street
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Mr. Berman then announced that the following Unincorporated Miami-Dade County, Village of Palmetto Bay and City of Miami cases were **no show/no contest**:

Unincorporated Miami Dade Cases: Deferred to January 21, 2004 USSB

DC200214637U	11107 Caribbean Blvd., 313, 315, 311, 318, 211, 213, 215, 115 and 117
DC2003019806U	3908 NW 23 Avenue
DC200318330U	1015 NW 72 Street
DC200318657U	4549 NW 33 Court
DC200318756U	2375 NW 43 Street

Unincorporated Miami Dade Cases: Regular Scheduled for January 21, 2004 USSB

DC2003016398U	12062 SW 10 Terrace, B-East
DC200316561U	1855-59 NW 74 Terrace
DC200316938U	22310 SW 108 Avenue
DC200317803U	3751 NW 177 Street
DC200317869U	2354 W 56 Street
DC200421315U	6805 NW 18 Avenue

City of Miami Cases: Deferred to January 21, 2004 USSB

M03-095	29 NE 61 Street
M03-096	602 NW 1 st Street
M03-097	608 NW 1 st Street

M03-098 1411 NW 55 Terrace
M03-099 1521 NW 55 Street

Village of Palmetto Bay Case: Deferred to January 21, 2004 USSB

PB2003-004 7860 SW 173 Terrace

The cases and photographs were submitted to the Board for review was called by Mr. Berman.

After the Board reviewed each case file, Mr. Cueva requested a motion to consolidate the withdrawals, agreed and uncontested cases and uphold the decisions of the Building Official. Mr. Starkweather moved to accept the withdrawals, agreed and uncontested cases as called by Mr. Berman. Mr. Milian seconded the motion.

Motion passed unanimously.

(For a verbatim version, please refer to the transcripts)

Discussion

Mr. Cueva informed the board members that it important that everyone be on time and their attendance is needed to all board hearings.

Prepared by: _____

Recording Secretary

Chairperson

Date: _____

The meeting was adjourned at 6:30 P.M.

USAFE STRUCTURES BOARD HEARING MINUTES OF FEBRUARY 18TH, 2004

Members Present: James Cueva, C Gordon Loader, VC Abel Ramirez
Jose Vera James Starkweather Kevin Deeb
Alberto Milian

Excused: Walter Williams

Staff: Theodore Berman, Clerk of the Board
Latisha Byrd, Recording Secretary
Daniel Frastai, Assistant County Attorney

Court Reporter: Lorena Ramos, Metro Dade Court Reporter

The regular meeting of the **UNSAFE STRUCTURES BOARD** was called to order at 1:35 P.M. on Wednesday, February 18th, 2004, on the 16th Floor, Conference Room 1605, of the Metro-Dade Flagler Building at 140 W. Flagler Street, Miami-Dade, Florida 33130.

Mr. Cueva announced that the minutes of the January 21, 2004, Unsafe Structures Board Meeting would be available to review at the next board hearing on Wednesday, March 17, 2004.

Mr. Berman then called for the list of cases that were agreed upon, uncontested, withdrawn or deferred.

Mr. Berman proceeded to inform the members that the following Unincorporated Miami-Dade County case were **withdrawn** per the Building Official.

Unincorporated Miami Dade Case:

DC200319875U 5400 NW 159 Street

Mr. Berman then announced that the following Unincorporated Miami-Dade County cases have made **agreements with the Building Official:**

Unincorporated Miami-Dade County Cases:

DC200317342U 2769 NW 55 Street
DC200317369U 2990-92 NW 57 Street
DC200319012U 2739 NW 44 Street
DC200319286U 15421 NW 29 Avenue
DC200320301U 1021 NW 76 Street
DC200320386U 1407 NW 97 Street
DC200320867U 11303 NE 13 Avenue
DCF2001102457U 17850 E. State Rd. 9 Drive
DCF2001102531U 1601 Opa Locka Blvd.
DC200318675U 16450 NW 22 Avenue

Mr. Berman then announced that the following Unincorporated Miami-Dade County cases were **no show/no contest**:

Unincorporated Miami Dade Cases:

DC2003018035U	19630 NW 5 Court
DC200317514U	5601 NW 35 Avenue
DC200318685U	20325 SW 190 Street
DC200319136U	6904 NW 19 Avenue
DC200320305U	5417 NW 24 Avenue
DC200320623U	8020 NW 13 Court
DC200421520U	2731 NW 58 Street

Mr. Berman then announced that the following Unincorporated Miami-Dade County cases were **deferred**:

Unincorporated Miami Dade Cases:

DC200320394U	440 NW 116 Street
DC200421927U	20800 NW 37 Court

The cases and photographs were submitted to the Board for review was called by Mr. Berman.

After the Board reviewed each case file, Mr. Cueva requested a motion to consolidate the withdrawals, agreed and uncontested cases and uphold the decisions of the Building Official. Mr. Starkweather moved to accept the withdrawals, agreed and uncontested cases as called by Mr. Berman. Mr. Vera seconded the motion.

Motion passed unanimously.

(For a verbatim version, please refer to the transcripts)

Mr. Cueva informed those appellants who were able to come to an amicable agreement with the Building Official that the Board had ratified the agreements and they were free to leave.

The Building Officials and Appellants being heard by the Unsafe Structure Board were sworn in at 2:05 P.M. by the court reporter.

Mr. Berman called forth the first case to be heard by the Unincorporated Miami-Dade, Unsafe Structures Unit.

Unincorporated Miami-Dade County Case:

DC200319359U	29631 SW 142 Court
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Mr. Aberlardo Mayorga, Building Inspector introduced photographs and a case resume into evident to be reviewed by the Board.

Mr. Mayorga gave an account of the structures and recommended that “said structure be secured within five (5) working days. The following securing method id approved: Storm Shutters (1/2 plywood, bolts and lumber as specs). The structure(s) are to be maintained secure, clean and sanitary. Free of debris, overgrown grass or weeds and free of discoloration or graffiti. Said structure must be repaired or completed with Engineer’s Certification and Architect/Engineer’s

sealed plans. A building permit must be obtained for structures (A) & (B) for all repairs or items to be completed for all structures. The permit documents shall be submitted FIRST to the Unsafe Structures Unit for approval. The building permit must be obtained by a licensed contractor or a qualified homeowner pursuant to Section 10-5(2) of the Miami-Dade County Code within sixty (60) days from today. The completion or repair of said structures (A) & (B) shall conform to the Florida Building Code unless application is made pursuant to the provisions of Section 8-11(g) of the code of Miami Dade County and shall be completed within ninety (90) days after obtaining the permit. Completion shall be determined when a final inspection approval is obtained on the building permit. If any of the above conditions are not complied with, said structures shall be demolished by the enforcing municipality as soon as possible.”

Ms. Diana Rigal, property owner stated that she needed more time to complete the repairs and proceeded to ask the board for additional time.

Mr. Deeb asked Ms. Rigal what made the structure unsafe.

Ms. Rigal replied according to the Engineer’s report, it’s unsafe.

Mr. Milian asked Mr. Mayorga does the Building Department inspect properties after they are built.

Mr. Navarro replied “yes.”

Mr. Navarro then explained how the property is unsafe and how it will deteriorate more.

Ms. Rigal informed the board that she wanted to get a lawyer to see what steps she should take.

After some discussion, Mr. Milian moved that “said structure(s) are to be maintained secure, clean and sanitary. Free of debris, overgrown grass or weeds and free of discoloration or graffiti. Said structure shall be repaired or completed with plans prepared by an Architect/Engineer or a qualified individual. A building permit must be obtained for all repairs or items to be completed. The permit documents shall be submitted FIRST to the Unsafe Structures Unit for approval. The building permit must be obtained by a licensed contractor or a qualified homeowner pursuant to Section 10-5(2) of the Miami-Dade County Code within three hundred sixty-five (365) days from today. The completion or repair of said structure shall conform to the Florida Building Code unless application is made pursuant to the provisions of Section 8-11(g) of the code of Miami Dade County and shall be completed within three hundred sixty-five (365) days after obtaining the permit. Completion shall be determined when a final inspection approval is obtained on the building permit. If any of the above conditions are not complied with, said structure shall be demolished by the enforcing municipality as soon as possible.” Mr. Ramirez seconded the motion.

Mr. Berman administered a roll call vote as requested by the Chairman.

Motion passed unanimously.

(For a verbatim version, please refer to the transcripts)

Mr. Berman called forth the second case to be heard by the City of Miami Beach, Unsafe Structures Unit.

Unincorporated Miami-Dade County Case:

DC200319771U

658 NW 100 Street

Mr. Antonio Brina, Building Inspector introduced photographs and a case resume into evident to be reviewed by the Board.

Mr. Brina gave an account of the structures and recommended that “said structure be secured within five (5) working days. The following securing method id approved: Storm Shutters (1/2 plywood, bolts and lumber as specs). The structure(s) are to be maintained secure, clean and sanitary. Free of debris, overgrown grass or weeds and free of discoloration or graffiti. Said structure must be repaired or completed with Engineer’s Certification and Architect/Engineer’s sealed plans. A building permit must be obtained for structures (A) & (B) for all repairs or items to be completed for all structures. The permit documents shall be submitted FIRST to the Unsafe Structures Unit for approval. The building permit must be obtained by a licensed contractor or a qualified homeowner pursuant to Section 10-5(2) of the Miami-Dade County Code within sixty (60) days from today. The completion or repair of said structures (A) & (B) shall conform to the Florida Building Code unless application is made pursuant to the provisions of Section 8-11(g) of the code of Miami Dade County and shall be completed within ninety (90) days after obtaining the permit. Completion shall be determined when a final inspection approval is obtained on the building permit. If any of the above conditions are not complied with, said structures shall be demolished by the enforcing municipality as soon as possible.”

Ms. Shawntavia Hammonds, interested party stated that the property owner needed more time to complete the repairs and proceeded to ask the board for additional time.

Mr. Milian asked Ms. Hammonds what is her relation to the property owner.

Ms. Hammonds replied that she is the property owner’s niece, as well as his secretary.

The board members stated that they do not feel comfortable making a decision without the presence of the owner of the property.

After some discussion, Mr. Milian moved to defer this case for thirty (30) days. Mr. Vera seconded the motion.

Mr. Berman administered a roll call vote as requested by the Chairman.

Motion passed unanimously.

(For a verbatim version, please refer to the transcripts)

Mr. Berman called forth the third case to be heard by the Unincorporated Miami-Dade, Unsafe Structures Unit.

Unincorporated Miami-Dade County Case:

DC200004395U

14200 Le Jeune Road, Units 22, 23, 61, 66, 101, 102, 105, 114,
119, 121, 137, 147, 150, 209, 406, 407, 408, 409, 410, 411, 415 &
500

Mr. Spencer Errickson, Building Inspector introduced photographs and a case resume into evidence to be reviewed by the Board.

Mr. Errickson gave an account of the structures and recommended that “said structures (C), (D), (E), (F), (G), (J), (K), (L), (M), (N), (O), (P), (Q), (R), (S), & (T) shall be demolished by a licensed contractor or a qualified homeowner pursuant to Section 10-5(2) of the Miami-Dade County Code with a demolition permit obtained within ninety (90) days from today from the Unsafe Structures Unit. All debris resulting from the demolition shall be removed from the premises. If any of the above conditions are not complied with, said structure shall be demolished by the enforcing municipality as soon as possible.”

Mr. Max Fajardo, Representative of the Aviation Department stated that Building Nos. 61 & 66 are being determined if it is historical.

Mr. Milian asked about the length of time it is taking to determine this structure historical.

Mr. Fajardo replied that when they were before the board in 2000, they demolished what they were supposed to in a timely manner. He informed the board that litigation has stopped them from evicting the tenants. Mr. Fajardo also informed the board that the tenants do not want to leave the premises, so they took them to court. He then stated that they are willing to demolish Building #101, 102, 105, but they are deemed historical. Mr. Fajardo also stated that Building #101 and 105 has been vacant and secured, but no one occupies Building #101.

Mr. Loader asked if any of the buildings have collapsed.

Mr. Fajardo replied “no”. and informed the board that he doesn’t think that any of the buildings would collapse. Mr. Fajardo also informed the board that the only building that is occupied is Building #66 and the tenants are taking them to court. Mr. Fajardo stated that they have fenced the building because it is unsafe, but what has stopped them from demolishing it is the litigation that is against them.

Mr. Loader stated that he felt uncomfortable hearing this case, due to the litigation process on-going.

Mr. Errickson stated that Units #61, 66, 101, 102 and 150 are not historical, but they are still in compliance and some are not in compliance.

After some discussion, Mr. Loader moved to defer for thirty (30) days Mr. Vera seconded the motion.

Mr. Berman administered a roll call vote as requested by the Chairman.

Motion passed unanimously.

(For a verbatim version, please refer to the transcripts)

Mr. Berman called forth the fourth case to be heard by the Unincorporated Miami-Dade, Unsafe Structures Unit.

Unincorporated Miami-Dade County Case:

DC200320083U

2 NE 117 Street

Mr. Orlando Vega, Building Inspector introduced photographs and a case resume into evident to be reviewed by the Board.

Mr. Vega gave an account of the structures and recommended that “said structures be secured within five (5) working days. The following securing method is approved: Storm Shutters (1/2 plywood, bolts and lumber as specs). The structure(s) are to be maintained secure, clean and sanitary. Free of debris, overgrown grass or weeds and free of discoloration or graffiti. Said structure (A) must be repaired or completed and structure (B) must be repaired or completed with Engineer’s Certification and Architect/Engineer’s sealed plans. A building permit must be obtained for structures (A) & (B) for all repairs or items to be completed for all structures. The permit documents shall be submitted FIRST to the Unsafe Structures Unit for approval. The building permit must be obtained by a licensed contractor or a qualified homeowner pursuant to Section 10-5(2) of the Miami-Dade County Code within sixty (60) days from today. The completion or repair of said structure (A) shall conform to the Florida Building Code unless application is made pursuant to the provisions of Section 8-11(g) of the code of Miami Dade County and shall be completed within ninety (90) days after obtaining the permit. Completion shall be determined when a final inspection approval is obtained on the building permit. If any of the above conditions are not complied with, said structure shall be demolished by the enforcing municipality as soon as possible. Structure (B) - The complete building or structure shall be made to conform to all the Florida Building Code requirements for a new building or structure and shall be completed within one hundred eighty (180) days after obtaining the permit. Completion shall be determined when a final inspection approval is obtained on the building permit. If any of the above conditions are not complied with, said structure shall be demolished by the enforcing municipality as soon as possible.”

Mr. Harold Hicks, Representative of Fannie Mae stated that they would like to secure and repair rather than demolish the property.

Mr. Cueva asked Mr. Hicks how long it would take to sale the property.

Mr. Hicks replied that they do intend to do the repairs if they felt they could not sale the property.

Mr. Cueva said that he wanted to make sure the mortgage company didn’t sale the property as is and it becomes a problem for the new owner.

Mr. Hicks informed the board that there will be a signed contract with the violation included and the owner will be aware of it.

After some discussion, Mr. Millian made a motion to uphold the building official’s recommendation. Mr. Vera seconded the motion.

Mr. Berman administered a roll call vote as requested by the Chairman.

Motions passed unanimously.

(For a verbatim version, please refer to the transcripts)

Mr. Berman called forth the fifth case to be heard by the Unincorporated Miami-Dade, Unsafe Structures Unit.

Unincorporated Miami-Dade County Case:

DC200422470U

1421 NE 163 Street

Mr. Spencer Errickson, Building Inspector introduced photographs and a case resume into evident to be reviewed by the Board.

Mr. Errickson gave an account of the structure and recommended that "said structure shall be demolished by a licensed contractor or a qualified homeowner pursuant to Section 10-5(2) of the Miami-Dade County Code with a demolition permit obtained within sixty (60) days from today from the Unsafe Structures Unit. All debris resulting from the demolition shall be removed from the premises. If any of the above conditions are not complied with, said structure shall be demolished by the enforcing municipality as soon as possible."

Mr. Pedro Baez, Chief of the Fire Department stated that the owner has complied and informed the board members that the only item pending is the installation of the fire alarm.

Mr. Mark Alhaditt, Attorney stated that the owner has tried to comply with everything.

Mr. Paul Lemay, General Manager of the Mall stated that the property has existed since 1956 and that the ongoing work is to improve the shopping center.

Mr. Milian asked if the Mall can be occupied.

Mr. Lemar replied "yes", they have completed what needed to be done to obtain compliance.

Mr. Michael Hopkins stated that they hired Electricians and Contractors to install the smoke alarms and a permit was issued Tuesday, February 17, 2004 and they are ready to do the work. He further stated that the fire alarm can be finished by June 2004.

Mr. Ed McWhonten, General Contractor stated that the drawings will be submitted on Monday, February 23, 2004.

After some discussion, Mr. Loader made a motion that "said owner shall submit a permit application revision within five (5) working days for the north wall enclosure of the remaining structure. The temporary emergency shoring under the supervision of a professional engineer shall be completed within seven (7) working days, and a subsequent shoring permit must be obtained from the building department. The wall enclosure and roof structure remedial work shall be completed within twenty-one (21) days. The fire alarm system and any and all other necessary fire work shall be completed by June 30, 2004, evidenced by a final inspection approval on permit #2004040997. The property owner is to maintain fire watch seven days a week, during the Mall operation hours until the fire alarm system is fully functional as evidenced by a final inspection. The Building Department shall alert the Unsafe Structures Board in the event that any of the above requirements are not met. The Unsafe Structures Board shall retain jurisdiction." Mr. Ramirez seconded the motion.

Mr. Berman administered a roll call vote as requested by the Chairman.

Motions passed unanimously.

(For a verbatim version, please refer to the transcripts)

Discussion

Mr. Cueva informed the board members that it important that everyone be on time and their attendance is needed to all board hearings to obtain quorum

Prepared by: _____
Recording Secretary

Chairperson

Date: _____

The meeting was adjourned at 6:30 P.M.

UNSAFE STRUCTURES BOARD HEARING MINUTES OF MARCH 17TH, 2004

Members Present: James Cueva, C Gordon Loader, VC Abel Ramirez
Jose Vera James Starkweather Kevin Deeb
Alberto Milian

Staff: Herminio Gonzalez, Secretary, Unsafe Structures Board
Latisha Byrd, Recording Secretary
Glenn Saks, Assistant County Attorney

Court Reporter: Lorena Ramos, Metro Dade Court Reporter

The regular meeting of the **UNSAFE STRUCTURES BOARD** was called to order at 1:35 P.M. on Wednesday, March 17th, 2004, on the 16th Floor, Conference Room 1605, of the Metro-Dade Flagler Building at 140 W. Flagler Street, Miami-Dade, Florida 33130.

Mr. Cueva requested a motion to approve and accept the minutes of the January 21st, 2004 and February 18th, 2004 Unsafe Structures Board Meeting. Mr. Starkweather moved to accept the minutes of the board meeting. Mr. Milian seconded the motion.

Motion passed unanimously.

(For a verbatim version, please refer to the transcripts)

Mr. Cueva informed the board that a status report for the T.G.K. is due and they are requesting a continuance. He then turned the floor over to the Secretary of the Board, Mr. Herminio Gonzalez.

Mr. Gonzalez announced to the board that the County Attorney and Representatives of the departments familiar with this issue requested a continuance to the next meeting, to provide the final status report for T.G.K.

Discussion:

Mr. Milian opposed to granting anymore extensions for the T.G.K. He stated that it is a public safety issue and the lives of inmates are at stake.

Mr. Cueva asked if anyone in the audience was present to give the status report for the T.G.K. He then let the record reflect that no one from T.G.K. was present.

The Chairman moved to grant a continuance and administered a roll call vote.

Motion passed unanimously.

(For a verbatim version, please refer to the transcripts)

Mr. Cueva then returned to the agenda and addressed the Bi-Annual Unsafe Structures Report. He asked the board members to acknowledge the receipt of the report and review it for discussion and ratification at the next meeting.

Mr. Loader explained to Mr. Milian that all the board is doing is acknowledging the receipt of the report and will discuss it at the next board hearing, if there are any changes to the report they can be addressed at that time.

Ms. Kathy Charles, Building Code Compliance Office, informed the board members that the process had changed from a annual report to a bi-annual report. She also informed the board that if they had any amendments to the report, they could submit their concerns to include the language in a draft in order for the Building Code Compliance Office to have it ready at the next meeting.

Mr. Gonzalez then added that the board members could fax or e-mail their concerns to our office, so it can be drafted for the next meeting for discussion.

Ms. Charles provided the board members with her e-mail address and fax number.

Mr. Cueva administered a roll call vote on their acknowledgement of the report.

Motion passed unanimously.

(For a verbatim version, please refer to the transcripts)

Mr. Gonzalez then called for the list of cases that were agreed upon, uncontested, withdrawn or deferred.

Mr. Gonzalez proceeded to inform the members that the following Unincorporated Miami-Dade County and City of Miami cases were **withdrawn** per the Building Official.

Unincorporated Miami Dade Case:

DC200320107U	1790 NW 94 Street
DC200320111U	16150 NW 40 Court
DC200320517U	1757 NW 90 Street
DC200320521U	1748 NW 89 Terrace
DC200320607U	2990 NW 95 Terrace
DCF2002102651U	2525 NW 207 Street, #01
DCF2002102807U	10151 NW 22 Avenue, #01

City of Miami:

M04-004	1101 NW 22 Avenue
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Mr. Gonzalez then announced that the following Unincorporated Miami-Dade County and City of Miami cases have made **agreements with the Building Official:**

Unincorporated Miami-Dade County Cases:

DC200319618U	2740-50 NW 43 Terrace
DC200320397U	2955 NW 99 Street
DC200320611U	2169 NW 80 Street
DC200320795U	19221 NW 51 Avenue
DC200421235U	1515 NW 167 Street
DC200421935U	21053 NW 37 Court
DC200421936U	20525 NW 21 Avenue

City of Miami:

M04-002	332 NW 52 St. A/K/A 328 NW 52 St.
M04-003	1060 Brickell Avenue
M04-006	1610 NW 21 Terrace
M04-007	1617 NW 38 Street
M04-009	2936 W. Flagler Street

Mr. Gonzalez then announced that the following Unincorporated Miami-Dade County and City of Miami cases were **no show/no contest**:

Unincorporated Miami Dade Cases:

DC200212577U	3010 SW 115 Avenue
DC2003020744U	4433 NW 23 Court
DC200319771U	658 NW 100 Street
DC200320391U	1160 NW 118 Street
DC200320746U	3075 NW 57 Street
DC200321082U	2212 NW 91 Street
DC200421607U	1240 NW 115 Street
DC200421952U	525 NE 189 Street, #504

City of Miami:

M04-001	244 NW 72 Terrace
M04-005	1603 NW 31 Street
M04-008	2071 NW 6 Place

Mr. Gonzalez then announced that the following Unincorporated Miami-Dade County case was **deferred**:

Unincorporated Miami Dade Cases:

DC200321083U	2448 NW 81 Terrace
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The cases and photographs were submitted to the Board for review was called by Mr. Gonzalez.

After the Board reviewed each case file, Mr. Cueva requested a motion to consolidate the withdrawals, agreed and uncontested cases and uphold the decisions of the Building Official. Mr. Starkweather moved to accept the withdrawals, agreed and uncontested cases as called by Mr. Gonzalez. Mr. Vera seconded the motion.

Motion passed unanimously.

(For a verbatim version, please refer to the transcripts)

Mr. Cueva informed those appellants who were able to come to an amicable agreement with the Building Official that the Board had ratified the agreements and they were free to leave.

The Building Officials and Appellants being heard by the Unsafe Structure Board were sworn in at 2:05 P.M. by the court reporter.

Mr. Gonzalez called forth the first case to be heard by the Unincorporated Miami-Dade, Unsafe Structures Unit.

Unincorporated Miami-Dade County Case:

DC200004395U

14200 LeJeune Road, Units 61, 66, 101, 102, 105, 121, 137, 150,
209, 406, 407, 408, 409, 410, 411 & 415

Mr. Spencer Errickson, Building Inspector introduced photographs and a case resume into evident to be reviewed by the Board.

Mr. Errickson gave an account of the structures and recommended that “said structures (C), (D), (E), (F), (G), (J), (K), (L), (M), (N), (O), (P), (Q), (R), (S) & (T) be demolished by an individual qualified to obtain a demolition permit within ninety (90) days from today from the Unsafe Structures Unit. All debris resulting from the demolition shall be removed from the premises. If any of the above conditions are not complied with, said structures shall be demolished by the enforcing municipality as soon as possible.”

Mr. Errickson stated that this case is a continuance from last month’s hearing. He informed the board that seven (7) of the structures have attained compliance, six (6) are currently in non-compliance and the remainder are within compliance times in that the historical reviews have not been completed at the state level for those structures.

Mr. Max Fajardo stated that the Aviation Department has composed a proposed Board Order, which would bring the time frames for all of the structures together under one Board Order. The structure that needed to continue with the state historical preservation review process have been identified and the ones that have been designated at the county level required time for them to seek a redevelopment plan.

Mr. Cueva interrupted to ask Mr. Errickson had there been any changes since the last meeting.

Mr. Errickson answered “yes”. He informed the board that there were three (3) structures pending for approval of reports. Mr. Errickson stated that those reports had been approved and now the buildings are in compliance.

Mr. Cueva asked Mr. Errickson to clarify the reports and which buildings were they.

Mr. Errickson replied that there are 40-year recertification reports for buildings 121, 137 and 209.

Mr. Fajardo informed the board that they instructed the Aviation to come back to the board with a Board Order that addressed or would address the current status of the building. He provided the board with the Board Order that addressed the historical buildings that had been made historical or given the designation at the local level. Mr. Fajardo also informed the board that the only building remains non-vacant is Building 66 because of the litigation being pursued at this particular moment.

After some discussion, Mr. Loader moved that “Said structures are vacant and secure and will be maintained safe and secured. The subject structures have been reviewed and deemed to be of historic significance, per the Historic Preservation Board. The Historic Preservation Board has further determined that the structures shall not be demolished and all plans for repair/renovation must be submitted for approval prior to effecting work. The orders of this Board are not subject

to the Historic Preservation, although consideration is given in this matter. The Miami-Dade Aviation Department shall receive Request for Proposals for the re-development of these structures, by private parties, and award the contract within four hundred and fifty (450) days from the date of Board Order. The contract award shall give full consideration toward the restoration or replacement of the Air Traffic Control Tower. The successful private developer will submit plans for review and approval by the Historic Preservation Board; Miami-Dade Building Department; the Federal Aviation Administration; and obtain construction permits within five hundred (500) days of the contract award. Said structures shall be repaired or completed with plans prepared by an Architect/Engineer or a qualified individual. A building permit must be obtained for all repairs or items to be completed. The permit documents shall be submitted FIRST to the Unsafe Structures Unit for approval. The completion or repair of said structures shall conform to the Florida Building Code unless application is made pursuant to the provisions of Section 8-11(g) of the code of Miami Dade County and shall be completed within seven hundred and twenty (720) days after obtaining the permit. Completion shall be determined when a final inspection approval is obtained, on the building permit, and the owner has submitted a report signed and sealed by a Florida registered professional engineer re-certifying the structural and electrical components of the building, to the Building Official. If any of the above conditions are not complied with, said structure shall be demolished by the enforcing municipality as soon as possible. The Order of the Unsafe Structures Board does not concern or impact any property owned, leased or controlled by the United States Government, or any agency or subdivision thereof. Furthermore, the Board finds that Building Number 101 is safe for egress access from and for any other uses directly related to the Air Traffic Control Tower Building, also known as Building Number 100.

Board action on (C) 2-Story CBS Structure, Bldg #61; (D) 1-Story CBS Structure, Bldg #66; (L) 1-Story CBS Structure, Bldg # 150; (N) 1-Story CBS Structure, Bldg #406; (O) 1-Story CBS Structure, Bldg #407; (P) 1-Story Metal Structure, Bldg # 408; (Q) 1-Story Commercial Structure, Bldg #409; (R) 1-Story Commercial Structure, Bldg #410; (S) 1-Story CBS Structure, Bldg # 411; (T) 2-Story CBS Structure, Bldg # 415 located at the above address is as follows:

Said structures are vacant and secure and will be maintained safe and secured with the exception of Bldg. #66. For Bldg. #66 a legal process is underway to remove occupants from this building. In the interim, a "Safing" plan has been executed that will be updated, signed and sealed by a professional engineer and submitted to the Unsafe Structures Unit, within 10 days from the date of the Board Order for approval. The "Safing" plan will continue to be executed until Bldg. #66 is vacant and secure. The subject structures have been reviewed and deemed to be of no historic significance, per the Historic Preservation Board. The State will review for archeological and/or historical significance and concurrence, Miami-Dade County, then provide final direction. A license contractor pursuant to Section 10-5(2) of the Miami-Dade County Code must obtain the demolition permit within one hundred eighty (180) days from the date of the final direction provided by the State Historic Preservation Board. Said structures shall be demolished by a licensed contractor pursuant to Section 10-5(2) of the Miami-Dade County Code with a demolition permit obtained through the Unsafe Structures Unit, within one hundred twenty (120) days from the date the demolition permit is obtained. All debris resulting from the demolition shall be removed from the premises. Any person aggrieved by a decision of the Unsafe Structures Board may seek judicial review of that decision in accordance with the Florida Rules of Appellate Procedure. The Board's retention of jurisdiction for this limited purpose shall also be without prejudice to Miami-Dade County's ability to pursue an alternate remedy in the Eleventh Judicial Circuit Court in and for Miami-Dade County, Florida." Mr. Ramirez seconded the motion.

Mr. Gonzalez administered a roll call vote as requested by the Chairman.

Motion passed unanimously.

(For a verbatim version, please refer to the transcripts)

Mr. Gonzalez called forth the second case to be heard by the City of Miami Beach, Unsafe Structures Unit.

Unincorporated Miami-Dade County Case:

DC200213929U 22525 SW 124th Avenue

Mr. Abelardo Mayorga, Building Inspector introduced photographs and a case resume into evident to be reviewed by the Board.

Mr. Mayorga gave an account of the structures and recommended that “said structures (A), (C) & (D) be demolished by an individual qualified to obtain a demolition permit within thirty (30) days from today from the Unsafe Structures Unit. All debris resulting from the demolition shall be removed from the premises. If any of the above conditions are not complied with, said structures shall be demolished by the enforcing municipality as soon as possible.”

Mr. Mayorga then gave the status of structure (B) and recommended “said structure (B) be secured within five (5) working days. The following securing method is approved: Storm Shutters (1/2 plywood, bolts and lumber as specs). The structure(s) are to be maintained secure, clean and sanitary. Free of debris, overgrown grass or weeds and free of discoloration or graffiti. Said structure (B) must be repaired or completed with Engineer’s Certification and Architect/Engineer’s sealed plans. A building permit must be obtained for structure (B) for all repairs or items to be completed for all structures. The permit documents shall be submitted FIRST to the Unsafe Structures Unit for approval. The building permit must be obtained by a licensed contractor or a qualified homeowner pursuant to Section 10-5(2) of the Miami-Dade County Code within sixty (60) days from today. The completion or repair of said structure (B) shall conform to the Florida Building Code unless application is made pursuant to the provisions of Section 8-11(g) of the code of Miami Dade County and shall be completed within sixty (60) days after obtaining the permit. Completion shall be determined when a final inspection approval is obtained on the building permit. If any of the above conditions are not complied with, said structure shall be demolished by the enforcing municipality as soon as possible.”

Mr. Cueva asked Mr. Mayorga if this case had been before the Board prior to this hearing.

Mr. Mayorga answered “yes”.

Mr. Cueva then asked what action did the Board take on this matter that last.

Mr. Errickson answered that the Board retained jurisdiction.

Mr. Squires, Esq., stated that the property owner, Mr. Muniz has very little resources and has attempted within his ability to correct the repairs to the property. He informed the Board that he had secured some architectural and engineering review for the property, but Mr. Muniz has not been able to commence repairs. Mr. Squires then requested for some additional time and asked to defer this case.

Mr. Loader asked how much time was requested.

Mr. Squires replied that the owner will need at least a year to correct the recommendations of the Building Department.

Mr. Milian asked where will the property owner live if the property were to be demolished.

Mr. Squires replied that the owner doesn't have any where to go.

After some discussion, Mr. Milian moved that "Said structure(s) are to be maintained secure, clean and sanitary. Free of debris, overgrown grass or weeds and free of discoloration or graffiti. Said structures shall be repaired or completed with Engineer's Certification and Architect/Engineer's sealed plans. A building permit must be obtained for all repairs or items to be completed. The permit documents shall be submitted FIRST to the Unsafe Structures Unit for approval. The building permit must be obtained by a licensed contractor or a qualified homeowner pursuant to Section 10-5(2) of the Miami-Dade County Code within one hundred eighty (180) days from today. The completion or repair of said structures shall conform to the Florida Building Code unless application is made pursuant to the provisions of Section 8-11(g) of the code of Miami Dade County and shall be completed within one hundred eighty (180) days after obtaining the permit. Completion shall be determined when a final inspection approval is obtained on the building permit. If any of the above conditions are not complied with, said structures shall be demolished by the enforcing municipality as soon as possible." Mr. Vera seconded the motion.

Mr. Gonzalez administered a roll call vote as requested by the Chairman.

Motion passed unanimously.

(For a verbatim version, please refer to the transcripts)

Mr. Gonzalez called forth the third case to be heard by the Unincorporated Miami-Dade, Unsafe Structures Unit.

Unincorporated Miami-Dade County Case:

DC200422049

5904 SW 20 Street

Mr. Antonio Brina, Building Inspector, introduced photographs and a case resume into evidence to be reviewed by the Board.

Mr. Brina gave an account of the structures (A) & (B) and recommended that "Said structure must be secured within five (5) working days. The following securing method is approved: Structure (A) Storm Shutters (1/2 plywood, bolts and lumber as specs); Structure (B) Fencing. The structure(s) are to be maintained secure, clean and sanitary. Free of debris, overgrown grass or weeds and free of discoloration or graffiti. Said structures (A) & (B) must be repaired or completed with Engineer's Certification and Architect/Engineer's sealed plans. A building permit must be obtained for all repairs or items to be completed. The permit documents shall be submitted FIRST to the Unsafe Structures Unit for approval. The building permit must be obtained by a licensed contractor or a qualified homeowner pursuant to Section 10-5(2) of the Miami-Dade County Code within thirty (30) days from today. The completion or repair of said

structures (A) & (B) shall conform to the Florida Building Code unless application is made pursuant to the provisions of Section 8-11(g) of the code of Miami Dade County and shall be completed within thirty (30) days after obtaining the permit. Completion shall be determined when a final inspection approval is obtained on the building permit. If any of the above conditions are not complied with, said structures shall be demolished by the enforcing municipality as soon as possible.”

Mr. Brina then gave the status for structure (C) and recommended that “said structure (C) must be demolished by an individual qualified to obtain a demolition permit within thirty (30) days from today from the Unsafe Structure Unit. All debris resulting from the demolition shall be removed from the premises. If any of the above conditions are not complied with, said structure shall be demolished by the enforcing municipality as soon as possible.”

Mr. Rene Wills, brother of the property owner, Litzie Wills stated that she is ill with a heart condition and is currently living under his care. He stated that Ms. Wills is unaware of the proceedings to repair the home, but he wished to take care of the problem.

Mr. Loader asked Mr. Wills was it his intention to repair the house.

Mr. Wills answered “yes.”

After some discussion, Mr. Milian moved that “Said structure must be secured within five (5) working days. The following securing method is approved: Structure (A) Storm Shutters (1/2 plywood, bolts and lumber as specs); Structure (B) Fencing. The structure(s) are to be maintained secure, clean and sanitary. Free of debris, overgrown grass or weeds and free of discoloration or graffiti. Said structures (A) & (B) must be repaired or completed with Engineer’s Certification and Architect/Engineer’s sealed plans. A building permit must be obtained for all repairs or items to be completed. The permit documents shall be submitted FIRST to the Unsafe Structures Unit for approval. The building permit must be obtained by a licensed contractor or a qualified homeowner pursuant to Section 10-5(2) of the Miami-Dade County Code within three hundred sixty-five (365) days from today. The completion or repair of said structures (A) & (B) shall conform to the Florida Building Code unless application is made pursuant to the provisions of Section 8-11(g) of the code of Miami Dade County and shall be completed within three hundred sixty-five (365) days after obtaining the permit. Completion shall be determined when a final inspection approval is obtained on the building permit. If any of the above conditions are not complied with, said structures shall be demolished by the enforcing municipality as soon as possible. Said structure (C) must be demolished by an individual qualified to obtain a demolition permit within three hundred sixty-five (365) days from today from the Unsafe Structure Unit. All debris resulting from the demolition shall be removed from the premises. If any of the above conditions are not complied with, said structure shall be demolished by the enforcing municipality as soon as possible.” Mr. Starkweather seconded the motion.

Mr. Gonzalez administered a roll call vote as requested by the Chairman.

Motion passed unanimously.

(For a verbatim version, please refer to the transcripts)

Mr. Gonzalez called forth the fourth case to be heard by the Unincorporated Miami-Dade, Unsafe Structures Unit.

Unincorporated Miami-Dade County Case:

DC200319875U

5400 NW 159 Street

Mr. Spencer Errickson, Building Inspector introduced photographs and a case resume into evident to be reviewed by the Board.

Mr. Errickson gave an account of the structure and recommended that “said structure be demolished by an individual qualified to obtain a demolition permit within thirty (30) days from today from the Unsafe Structures Unit. All debris resulting from the demolition shall be removed from the premises. If any of the above conditions are not complied with, said structure shall be demolished by the enforcing municipality as soon as possible.”

Mr. Eugene Mori, property owner, stated that he built the 108-unit apartment building in 1971 and today was the first time he was informed of the main violation. He informed the board that there was a transformer located beneath a portion of the building, which is too close to the building. Mr. Mori also stated that if he would have known of the violation some time ago when he met with Mr. Errickson, he could have resolved this problem. He also informed the board that he was told not to do any repairs until the day of this hearing. Mr. Mori informed the board that the deteriorated portion of the building is not easily restored with a building permit. He then requested more time to commence the necessary repairs.

Mr. Loader asked how much time is needed to undertake this work.

Mr. Mori answered that he would need three months to obtain a permit and three months to do the building.

Mr. Milian asked if the structure was a shed.

Mr. Mori answered that all of the maintenance supplies was stored inside of the two-story structure.

After some discussion, Mr. Loader made a motion that “said structure(s) are to be maintained secure, clean and sanitary. Free of debris, overgrown grass or weeds and free of discoloration or graffiti. Said structure must be repaired or completed with plans prepared by an Architect/Engineer or a qualified individual. A building permit must be obtained for all repairs or items to be completed. The permit documents shall be submitted FIRST to the Unsafe Structures Unit for approval. The building permit must be obtained by a licensed contractor or a qualified homeowner pursuant to Section 10-5(2) of the Miami-Dade County Code within ninety (90) days from today. The completion or repair of said structure shall conform to the Florida Building Code unless application is made pursuant to the provisions of Section 8-11(g) of the code of Miami Dade County and shall be completed within one hundred twenty (120) days after obtaining the permit. Completion shall be determined when a final inspection approval is obtained on the building permit. If any of the above conditions are not complied with, said structure shall be demolished by the enforcing municipality as soon as possible.” Mr. Vera seconded the motion.

Mr. Gonzalez administered a roll call vote as requested by the Chairman.

Motions passed unanimously.

(For a verbatim version, please refer to the transcripts)

Mr. Gonzalez called forth the fifth case to be heard by the Unincorporated Miami-Dade, Unsafe Structures Unit.

Unincorporated Miami-Dade County Case:

DC200318320U

7200 SW 73 Court

Mr. Abelardo Mayorga, Building Inspector introduced photographs and a case resume into evident to be reviewed by the Board.

Mr. Mayorga gave an account of the structures (A) & (C) and recommended that “Said structure must be secured within five (5) working days. The following securing method is approved: Structure (A) Storm Shutters (1/2 plywood, bolts and lumber as specs). The structure(s) are to be maintained secure, clean and sanitary. Free of debris, overgrown grass or weeds and free of discoloration or graffiti. Said structure (A) must be repaired or completed with plans prepared by an Architect/Engineer or a qualified individual and structure (C) must be repaired or completed. A building permit must be obtained for all repairs or items to be completed. The permit documents shall be submitted FIRST to the Unsafe Structures Unit for approval. The building permit must be obtained by a licensed contractor or a qualified homeowner pursuant to Section 10-5(2) of the Miami-Dade County Code within thirty (30) days from today. The completion or repair of said structures (A) & (B) shall conform to the Florida Building Code unless application is made pursuant to the provisions of Section 8-11(g) of the code of Miami Dade County and shall be completed within one hundred twenty (120) days after obtaining the permit. Completion shall be determined when a final inspection approval is obtained on the building permit. If any of the above conditions are not complied with, said structures shall be demolished by the enforcing municipality as soon as possible.”

Mr. Mayorga then gave the status of the structure (B) and recommended that “said structure shall be demolished by a licensed contractor or a qualified homeowner pursuant to Section 10-5(2) of the Miami-Dade County Code with a demolition permit obtained within thirty (30) days from today from the Unsafe Structures Unit. All debris resulting from the demolition shall be removed from the premises. If any of the above conditions are not complied with, said structure shall be demolished by the enforcing municipality as soon as possible.”

Mr. Garcia-Serra, Esq., stated that the owner purchased the property in 1987, but it was subsequently challenged by the neighboring residents. He informed the Board that they had gone to court and had been in litigation since 1997. Mr. Garcia-Serra also informed the Board that Circuit Court ruled in favor of the residents and the District Court ruled in favor of the owner and they are now awaiting the Florida Supreme Courts decision.

Mr. Loader asked if the owner planned to demolish the structure.

Mr. Garcia-Serra replied that he has not been able to consult with his client to discuss the possibilities of demolishing this structure.

Ms. Gloria Velazquez, Esq., interjected and stated that she was originally handling the Notice of Violation last year. She informed the board that while she was on maternity leave, Mr. Garcia-Serra took over the case.

Mr. Starkweather asked how far along are the permits.

Mr. Mayorga answered that they expired.

Mr. Navarro informed the board that they have most of the required inspections.

Mr. Deeb then asked if the pool was secured.

Mr. Mayorga replied that it has a lot of rocks inside of it.

Ms. Velazquez informed the board that they can commit to revisiting the issue and basically doing whatever is necessary to secure the pool.

After some discussion, Mr. Loader made a motion that “Said structure(s) must be secured within thirty (30) working days. The following securing method is approved: Structure (A) Storm Shutters (1/2 plywood, bolts and lumber as specs); Structure (B) Fencing. The structure(s) are to be maintained secure, clean and sanitary. Free of debris, overgrown grass or weeds and free of discoloration or graffiti. Said structure (A) must be repaired or completed with plans prepared by an Architect/Engineer or a qualified individual and structure (C) must be repaired or completed. A building permit must be obtained for all repairs or items to be completed. The permit documents shall be submitted FIRST to the Unsafe Structures Unit for approval. The building permit must be obtained by a licensed contractor or a qualified homeowner pursuant to Section 10-5(2) of the Miami-Dade County Code within three hundred sixty-five (365) days from today. The completion or repair of said structures shall conform to the Florida Building Code unless application is made pursuant to the provisions of Section 8-11(g) of the code of Miami Dade County and shall be completed within one hundred twenty (120) days after obtaining the permit. Completion shall be determined when a final inspection approval is obtained on the building permit. If any of the above conditions are not complied with, said structures shall be demolished by the enforcing municipality as soon as possible.” Mr. Ramirez seconded the motion.

Mr. Gonzalez administered a roll call vote as requested by the Chairman.

Motions passed unanimously.

(For a verbatim version, please refer to the transcripts)

Mr. Gonzalez called forth the sixth case to be heard by the Unincorporated Miami-Dade, Unsafe Structures Unit.

Unincorporated Miami-Dade County Case:

DC200421927U

20800 NW 37 Court

Mr. Orlando Vega, Building Inspector, introduced photographs and a case resume into evident to be reviewed by the Board.

Mr. Vega gave an account of structure (A) and recommended that “said structure(s) are to be maintained secure, clean and sanitary. Free of debris, overgrown grass or weeds and free of discoloration or graffiti. Said structure (A) must be repaired or completed with plans prepared by an Architect/Engineer or a qualified individual. A building permit must be obtained for all repairs

or items to be completed. The permit documents shall be submitted FIRST to the Unsafe Structures Unit for approval. The building permit must be obtained by a licensed contractor or a qualified homeowner pursuant to Section 10-5(2) of the Miami-Dade County Code within sixty (60) days from today. The completion or repair of said structure (A) shall conform to the Florida Building Code unless application is made pursuant to the provisions of Section 8-11(g) of the code of Miami Dade County and shall be completed within one hundred eighty (180) days after obtaining the permit. Completion shall be determined when a final inspection approval is obtained on the building permit. If any of the above conditions are not complied with, said structures shall be demolished by the enforcing municipality as soon as possible.”

Mr. Vega then gave the status of the structure (B) and recommended that “said structure shall be demolished by a licensed contractor or a qualified homeowner pursuant to Section 10-5(2) of the Miami-Dade County Code with a demolition permit obtained within sixty (60) days from today from the Unsafe Structures Unit. All debris resulting from the demolition shall be removed from the premises. If any of the above conditions are not complied with, said structure shall be demolished by the enforcing municipality as soon as possible.”

Ms. Angela Lewis, property owner, stated that special housing did some work to her property and she was not aware of any open permits. She also stated that she was satisfied with all the repairs that Housing did to her property. Ms. Lewis informed the board that the property was not occupied for 6 months due to her disabled child. She also informed the board that there are windows hanging and she will do what is necessary to do the repairs. Ms. Lewis enlightened the board that when she applied for permits she was informed that she needed to do a variance due to setbacks.

Mr. Milian asked the property owner how much time she needed to do the repairs.

Ms. Lewis answered that she will need as much time as possible for her to secure the finances. She then stated that there are a lot of other repairs that needed to be done and requested for more time to do so.

Mr. Ramirez explained to the property owner the process of getting a variance and how costly it would be to demolish and repair.

After some discussion, Mr. Loader made a motion that “said structure(s) are to be maintained secure, clean and sanitary. Free of debris, overgrown grass or weeds and free of discoloration or graffiti. Said structures must be repaired or completed with plans prepared by an Architect/Engineer or a qualified individual. A building permit for structures must be obtained for all repairs or items to be completed. The permit documents shall be submitted FIRST to the Unsafe Structures Unit for approval. The building permit must be obtained by a licensed contractor or a qualified homeowner pursuant to Section 10-5(2) of the Miami-Dade County Code within three hundred sixty-five (365) days from today. The completion or repair of said structures shall conform to the Florida Building Code unless application is made pursuant to the provisions of Section 8-11(g) of the code of Miami Dade County and shall be completed within three hundred sixty-five (365) days after obtaining the permit. Completion shall be determined when a final inspection approval is obtained on the building permit. If any of the above conditions are not complied with, said structures shall be demolished by the enforcing municipality as soon as possible.” Mr. Milian seconded the motion.

Mr. Gonzalez administered a roll call vote as requested by the Chairman.

Motions passed unanimously.

(For a verbatim version, please refer to the transcripts)

Mr. Gonzalez called forth the seventh case to be heard by the Unincorporated Miami-Dade, Unsafe Structures Unit.

Unincorporated Miami-Dade County Case:

DC200318750U

2115 NW 42 Street

Mr. Luis Hernandez, Building Inspector introduced photographs and a case resume into evident to be reviewed by the Board.

Mr. Hernandez gave an account of structure (A) and recommended that “Said structure(s) must be secured within five (5) working days. The following securing method is approved: Structure (A) Storm Shutters (1/2 plywood, bolts and lumber as specs). The structure(s) are to be maintained secure, clean and sanitary. Free of debris, overgrown grass or weeds and free of discoloration or graffiti. Said structure (A) must be repaired or completed with Engineer’s Certification and Architect/Engineer’s sealed plans. A building permit must be obtained for all repairs or items to be completed. The permit documents shall be submitted FIRST to the Unsafe Structures Unit for approval. The building permit must be obtained by a licensed contractor or a qualified homeowner pursuant to Section 10-5(2) of the Miami-Dade County Code within sixty (60) days from today. The completion or repair of said structures shall conform to the Florida Building Code unless application is made pursuant to the provisions of Section 8-11(g) of the code of Miami Dade County and shall be completed within one hundred twenty (120) days after obtaining the permit. Completion shall be determined when a final inspection approval is obtained on the building permit. If any of the above conditions are not complied with, said structures shall be demolished by the enforcing municipality as soon as possible.”

Mr. Hernandez then gave the status of structure (C) and recommended that “said structure shall be demolished by a licensed contractor or a qualified homeowner pursuant to Section 10-5(2) of the Miami-Dade County Code with a demolition permit obtained within thirty (30) days from today from the Unsafe Structures Unit. All debris resulting from the demolition shall be removed from the premises. If any of the above conditions are not complied with, said structure shall be demolished by the enforcing municipality as soon as possible.”

Ms. Carrie Horne, property owner, stated that she was informed today that she has three structures that are unsafe. She informed the board that she is willing to do the repairs and requested for more time to do so.

Mr. Starkweather asked Mr. Hernandez if Structure (C) is the addition in the back of the property.

Mr. Hernandez answered “yes”

Mr. Starkweather then asked was it built without permits.

Ms. Horne interjected and stated that the structure is not an addition, she informed the board that it was built at the same time the house was originally built.

Mr. Milian asked the owner if anyone lives there at this present moment.

Ms. Horne replied “no” and the property is secured.

Mr. Loader then asked if any permits have been issued for Structure (A).

Mr. Hernandez answered “no”

After some discussion, Mr. Loader made a motion that “said structure(s) are to be maintained secure, clean and sanitary. Free of debris, overgrown grass or weeds and free of discoloration or graffiti. Said structures shall be repaired or completed with Engineer’s Certification and Architect/Engineer sealed plans. A building permit must be obtained for all repairs or items to be completed. The permit documents shall be submitted FIRST to the Unsafe Structures Unit for approval. The building permit must be obtained by a licensed contractor or a qualified homeowner pursuant to Section 10-5(2) of the Miami-Dade County Code within one hundred eighty (180) days from today. The completion or repair of said structures shall conform to the Florida Building Code unless application is made pursuant to the provisions of Section 8-11(g) of the code of Miami Dade County and shall be completed within one hundred eighty (180) days from today. Completion shall be determined when a final inspection approval is obtained on the building permit. If any of the above conditions are not complied with, said structures shall be demolished by the enforcing municipality as soon as possible.” Mr. Milian seconded the motion.

Mr. Gonzalez administered a roll call vote as requested by the Chairman.

Motions passed unanimously.

(For a verbatim version, please refer to the transcripts)

Discussion

Mr. Cueva informed the Board members that it is important that everyone be on time and their attendance is needed to all Board hearings to obtain quorum.

Annual Voting for Chairman & Vice-Chairman

Mr. Gonzalez thanked all the Board members for all their hard work over the years and stated that he really appreciated them for taking time to contribute to the Unsafe Structures Board.

Mr. Cueva thanked everyone for all their kind words and acknowledged the extraordinary contributions of his fellow Board members for over the last 12 months where they faced significant challenges. Specifically, he related those to the limited number of Board members that have required a hundred percent attendance from all of them is a extraordinary commitment. He also informed the board members that he sent a recommendation to fill the vacancy for Commisioner Seijas.

Mr. Milian elected Mr. Cueva for Chairman and Mr. Loader for Vice-Chairman. Mr. Starkweather seconded the motion.

Mr. Gonzalez then administered a roll call vote as requested by the Chairman.

Motion passed unanimously.

(For a verbatim version, please refer to the transcripts)

Prepared by: _____
Recording Secretary

Chairperson

Date: _____

The meeting was adjourned at 4:30 P.M.

USAFE STRUCTURES BOARD HEARING MINUTES OF APRIL 21ST, 2004

Members Present: James Cueva, C Gordon Loader, VC Abel Ramirez
Jose Vera James Starkweather Kevin Deeb
Alberto Milian

Staff: Theodore Berman, P. E., Deputy Director
Latisha Byrd, Recording Secretary
Daniel Frastai, Assistant County Attorney

Court Reporter: Lorena Ramos, Metro Dade Court Reporter

The regular meeting of the **UNSAFE STRUCTURES BOARD** was called to order at 2:30 P.M. on Wednesday, April 21st, 2004, on the 16th Floor, Conference Room 1605, of the Metro-Dade Flagler Building at 140 W. Flagler Street, Miami-Dade, Florida 33130.

Mr. Cueva announced that the minutes of the March 17th, 2004, Unsafe Structures Board Meeting would be available to review at the next board hearing on Wednesday, May 19th, 2004.

Mr. Berman then called for the list of cases that were agreed upon, uncontested, withdrawn or deferred.

Mr. Berman proceeded to inform the members that the following City of Miami case was **withdrawn** per the Building Official.

City of Miami:

M04-010 1343 NW 1 Street

Mr. Berman then announced that the following Unincorporated Miami-Dade County and City of Miami cases have made **agreements with the Building Official:**

Unincorporated Miami-Dade County Cases:

DC200317957U	1370 NW 72 Street
DC200318134U	16321 SW 102 Place
DC200318660U	1075 NW 140 Street
DC200318753U	2121 NW 45 Street
DC200319029U	5325 NW 29 Court
DC200319587U	14721 Harrison Street
DC200320384U	9520 NW 8 Avenue
DC200320390U	1020 NW 116 Terrace
DC200320519U	1733 NW 81 Street
DC200320523U	1766 NW 89 Terrace
DC200321083U	2448 NW 81 Terrace
DC200421557U	12400 SW 152 Street

City of Miami:

M04-011	1910 SW 17 Street
M04-012	2130 SW 9 Street
M04-015	6915 NW 5 Court

Mr. Berman then announced that the following Unincorporated Miami-Dade County and City of Miami cases were **no show/no contest**:

Unincorporated Miami Dade Cases:

DC2003018681U	11705 SW 184 Street
DC200320387U	9201 NW 8 Avenue
DC200421313U	8851 SW 157 Avenue

City of Miami:

M04-014	3655 Florida Avenue
M04-017	4191 Ingraham Highway

Mr. Berman then announced that the following Unincorporated Miami-Dade County case was **deferred**:

Unincorporated Miami Dade Cases:

DC200320398U	7835 SW 127 Court
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City of Miami:

M04-013	2250 SW 34 Avenue
M04-016	1510 NW 19 Terrace

The cases and photographs were submitted to the Board for review was called by Mr. Berman.

Mr. Cueva announced that the board will be reviewing the cases during the period of the discussion of the old business that is listed on the agenda to speed up the process.

Status Report: (Turner Gilford Knight) – 7000 NW 41 Street

Mr. Tom Robertson, Assistant County Attorney, requested for an extension of time as indicated in the status report because of the quantity of work that needed to be completed. He informed the board that they have made significant progress and they have been in contact with Mr. Charles Danger, Building Official of Miami Dade Building Department and Chief Suarez, Miami Dade Fire Department who have no objection to what they are requesting.

Mr. Jose Perez, Division Manager of Construction Management, presented the status report for April to the board. He explained to the board that the biggest issue is the fire alarm which is 96% completed and the work will be finalized at the end of the month, but wanted an extension just to make sure everything was covered to allow ample time for inspections. He further explained to the Board that the Smoke Evacuation System was 45% completed, but they needed more time to finalize the work. He also explained that the Smoke Evacuate System contract ended in October 2003 and stated that it is a more complex project than the fire alarms and that is the

reason why an extension is requested. He then explained to the Board that once the reports have been approved and agreed upon, they will forward it to Building Code Compliance.

Mr. Thomas informed the board that the Fire Department had requested that they have fire watch at all times. He also informed them that there is trained personnel on how to operate the system.

Chief Suarez, Miami Dade Fire Department stated that the Fire Department performed the fire watch in the beginning, but he did not feel comfortable to having his personnel doing this at this facility. Chief Suarez informed the board that the Fire Department talked with the Directors of Corrections Department and they decided to train the GSA Department and Correction Officers in case of an emergency.

Mr. Cueva asked if there were any family members present on behalf of any of the prisoners.

No one replied.

Mr. Milian asked if anyone know if there had been a fire at any of the Correction Facilities in the last 24 months.

Mr. Anthony Dawson, Assistant Director of Miami Dade Corrections, replied that he could not answer that because a lot of them have been self extinguished. ie. "trash fires"

Mr. Milian informed the Corrections Department that he was aware of a fire that took place in the last 24 months.

Mr. Dawson informed the board that Metro West had a fire in the last month that was extinguished by staff. He then added that a small fire took place in the kitchen of TGK recently, but was also extinguished by staff.

Mr. Milian then asked how many individuals were treated for injuries.

Mr. Dawson replied that there were no serious injuries, but they were taken to the hospital just for precautions.

Mr. Starkweather made a motion to grant the extension of 9 months and retain jurisdiction. Mr. Vera seconded.

Mr. Milian commented that the board hears from property owners who request additional time because of financial situation and how could they allow the County another extension when the prisoner's lives are still in danger. He informed the board that he will not vote for any additional extensions.

Mr. Berman administered a roll call vote as requested by the Chairman.

Motion passed. (Mr. Deeb and Mr. Milian were opposed).

(For a verbatim version, please refer to the transcripts)

After the Board reviewed each case file, Mr. Cueva requested a motion to consolidate the withdrawals, agreed and uncontested cases and uphold the decisions of the Building Official. Mr. Starkweather moved to accept the withdrawals, agreed and uncontested cases as called by Mr. Berman. Mr. Vera seconded the motion.

Motion passed unanimously.

(For a verbatim version, please refer to the transcripts)

Mr. Cueva informed those appellants who were able to come to an amicable agreement with the Building Official that the Board had ratified the agreements and they were free to leave.

Clarification of Unsafe Structures Board Order – 1421 NE 163 Street

Mr. Jeff Bartel, Representative of the 163rd Mall, stated that his presence was to witness the clarification of the Board Order for the 163rd Mall, which was heard at the February 18th, 2004 hearing.

Chief Suarez, Miami Dade Fire Department stated that the question today is whether the fire watch is to be monitored 24 hours 7 days a week by the Fire Department at the Mall. He explained to the Board that the code does not require fire watch to protect the property. He further explained that the code requires life safety provision. He informed the Board that the fire watch should be during the operation of the Mall by the Fire Dept.

Mr. Loader moved to clarify that the fire watch be monitored by the Fire Department during the operation of the mall hours. Mr. Starkweather seconded the motion.

Chief Pedro Bas informed the board that the Fire Department has access to a radio from the Mall Security. He also informed them that the mall has a security company that monitors after business hours and if an emergency occurs, they will call them on the radio and they feel comfortable with this process.

Mr. Berman administered a roll call vote as requested by the Chairman.

Motion passed. (Mr. Deeb and Mr. Milian were opposed).

(For a verbatim version, please refer to the transcripts)

Bi-Annual Review Report

Mr. Milian moved to amend the report to indicate that the quorum should be reduced to 5 members instead of 7 members due to the amount of members the Unsafe Structures Board currently. He added that this would avoid a problem with quorum that they had in the last year. Mr. Starkweather seconded the motion.

Mr. Cueva informed Ms. Charles that Paragraph 6 should be modified.

The Board voted to accept the Bi-Annual Review Report of the Unsafe Structures Board for 2002-03 with the modification. A motion was made by Mr. Cueva to accept the report of the Unsafe Structures Board for 2002-03 and seconded by Mr. Starkweather.

Motion passed unanimously.

(For a verbatim version, please refer to the transcripts)

The Building Officials and Appellants being heard by the Unsafe Structure Board were sworn in at 3:05 P.M. by the court reporter.

Mr. Berman called forth the first case to be heard by the Unincorporated Miami-Dade, Unsafe Structures Unit.

Unincorporated Miami-Dade County Case:

DC200421939U

4551 NW 201 Terrace

Mr. Spencer Errickson, Building Inspector, introduced photographs and a case resume into evident to be reviewed by the Board.

Mr. Errickson gave an account of the structures (A), (B), (E), (F) & (G) and recommended that “said structure(s) are to be maintained secure, clean and sanitary. Free of debris, overgrown grass or weeds and free of discoloration or graffiti. Said structures must be repaired or completed with plans prepared by an Architect/Engineer or a qualified individual. A building permit must be obtained for structures (A), (B), (E), (F) & (G) for all repairs or items to be completed for all structures. The permit documents shall be submitted FIRST to the Unsafe Structures Unit for approval. The building permit must be obtained by a licensed contractor or a qualified homeowner pursuant to Section 10-5(2) of the Miami-Dade County Code within sixty (60) days from today. The completion or repair of said structures shall conform to the Florida Building Code unless application is made pursuant to the provisions of Section 8-11(g) of the code of Miami Dade County and shall be completed within ninety (90) days after obtaining the permit. Completion shall be determined when a final inspection approval is obtained on the building permit. If any of the above conditions are not complied with, said structures shall be demolished by the enforcing municipality as soon as possible.”

Mr. Errickson then gave the status of structures (C) & (D) and recommended that “said structures shall be demolished by a licensed contractor or a qualified homeowner pursuant to Section 10-5(2) of the Miami-Dade County Code with a demolition permit obtained within thirty (30) days from today from the Unsafe Structures Unit. All debris resulting from the demolition shall be removed from the premises. If any of the above conditions are not complied with, said structure shall be demolished by the enforcing municipality as soon as possible.”

Ms. Stella Gonzalez, daughter of owner, stated that she just gave birth to a new born and requested for additional time due to financial situation.

Mr. Milian asked how much time was she requesting.

Ms. Gonzalez answered that she will need at least 6 months to start the process.

Mr. Ramirez asked Mr. Errickson how long will it take to get a permit without a getting a survey.

After some discussion, Mr. Milian moved that “said structure(s) are to be maintained secure, clean and sanitary. Free of debris, overgrown grass or weeds and free of discoloration or graffiti. Said structures must be repaired or completed with plans prepared by an Architect/Engineer or a qualified individual. A building permit must be obtained for structures (A), (B), (E), (F) & (G)

for all repairs or items to be completed for all structures. The permit documents shall be submitted FIRST to the Unsafe Structures Unit for approval. The building permit must be obtained by a licensed contractor or a qualified homeowner pursuant to Section 10-5(2) of the Miami-Dade County Code within two hundred seventy (270) days from today. The completion or repair of said structures shall conform to the Florida Building Code unless application is made pursuant to the provisions of Section 8-11(g) of the code of Miami Dade County and shall be completed within three hundred sixty-five (365) days after obtaining the permit. Completion shall be determined when a final inspection approval is obtained on the building permit. If any of the above conditions are not complied with, said structures shall be demolished by the enforcing municipality as soon as possible. Said structures (C) & (D) and recommended that "said structures shall be demolished by a licensed contractor or a qualified homeowner pursuant to Section 10-5(2) of the Miami-Dade County Code with a demolition permit obtained within one hundred eighty (180) days from today from the Unsafe Structures Unit. All debris resulting from the demolition shall be removed from the premises. If any of the above conditions are not complied with, said structures shall be demolished by the enforcing municipality as soon as possible." Mr. Starkweather seconded the motion.

Mr. Berman administered a roll call vote as requested by the Chairman.

Motion passed unanimously.

(For a verbatim version, please refer to the transcripts)

Mr. Berman then called forth the second case to be heard by the Unincorporated Miami-Dade, Unsafe Structures Unit.

Unincorporated Miami-Dade County Case:

DC200214516U

13380 SW 2 Terrace

Mr. Orlando Vega, Building Inspector, introduced photographs and a case resume into evidence to be reviewed by the Board.

Mr. Vega gave an account for structure (A) and recommended that "said structure be secured within five (5) working days. The following securing method is approved: Storm Shutters (1/2 plywood, bolts and lumber as specs). The structure(s) are to be maintained secure, clean and sanitary. Free of debris, overgrown grass or weeds and free of discoloration or graffiti. Said structures must be repaired or completed with plans prepared by an Architect/Engineer or a qualified individual. A building permit must be obtained for structure (A) for all repairs or items to be completed for all structure. The permit documents shall be submitted FIRST to the Unsafe Structures Unit for approval. The building permit must be obtained by a licensed contractor or a qualified homeowner pursuant to Section 10-5(2) of the Miami-Dade County Code within sixty (60) days from today. The completion or repair of said structures shall conform to the Florida Building Code unless application is made pursuant to the provisions of Section 8-11(g) of the code of Miami Dade County and shall be completed within one hundred eighty (180) days after obtaining the permit. Completion shall be determined when a final inspection approval is obtained on the building permit. If any of the above conditions are not complied with, said structures shall be demolished by the enforcing municipality as soon as possible."

Mr. Vega then gave the status for structures (B) & (C) and recommended that “said structures shall be demolished by a licensed contractor or a qualified homeowner pursuant to Section 10-5(2) of the Miami-Dade County Code with a demolition permit obtained within sixty (60) days from today from the Unsafe Structures Unit. All debris resulting from the demolition shall be removed from the premises. If any of the above conditions are not complied with, said structures shall be demolished by the enforcing municipality as soon as possible.”

Ms. Maria Temple, property owner, stated that she bought the property without the knowledge of the violations of the home.

Mr. Vega informed the board that there was also a zoning issue with the set back encroaches.

Mr. Cueva explained to the property owner the process of going before the Zoning board.

Mr. Deeb asked if there was a conflict with him voting on this case, since he lived in the neighborhood.

After some discussion, the Unsafe Structures Board took no action due to lack of quorum. (Mr. Kevin Deeb recused himself from hearing this matter). There were only six (6) available voting members: James Cueva, Gordon Loader, Alberto Milian, Abel Ramirez, James Starkweather, and Jose Vera.

Mr. Berman then called forth the third case to be heard by the Unincorporated Miami-Dade, Unsafe Structures Unit.

Unincorporated Miami-Dade County Case:

DC200005426U

6601 NW 25 Avenue

Mr. Spencer Errickson, Building Inspector, introduced photographs and a case resume into evident to be reviewed by the Board.

Mr. Errickson gave an account of the structures (A), (B), (C), (D) & (E) and recommended that “said structures be secured within five (5) working days. The following securing method is approved: Storm Shutters (1/2 plywood, bolts and lumber as specs) and Fencing. The structure(s) are to be maintained secure, clean and sanitary. Free of debris, overgrown grass or weeds and free of discoloration or graffiti. Said structures must be repaired or completed with Engineer’s Certification and Architect/Engineer’s sealed plans. A building permit must be obtained for structures for all repairs or items to be completed for all structures. The permit documents shall be submitted FIRST to the Unsafe Structures Unit for approval. The building permit must be obtained by a licensed contractor or a qualified homeowner pursuant to Section 10-5(2) of the Miami-Dade County Code within one hundred twenty (120) days from today. The completion or repair of said structures shall conform to the Florida Building Code unless application is made pursuant to the provisions of Section 8-11(g) of the code of Miami Dade County and shall be completed within one hundred eighty (180) days after obtaining the permit. Completion shall be determined when a final inspection approval is obtained on the building permit. If any of the above conditions are not complied with, said structures shall be demolished by the enforcing municipality as soon as possible.”

Motion for Re-Hearing/Modification of Board Order - Case No. DC200005426U
Annie Coleman Gardens - 6601 NW 25 Avenue

Mr. Cueva raised some question on jurisdiction and processing. He wondered whether the Board could grant a rehearing for the motion.

Mr. Milian asked what mandate the board has on this particular case.

Mr. Terrence Smith, Assistant County Attorney, answered that if it is more than 30 days to challenge, it will conflict with a Federal Regulation.

Mr. Loader stated that if the court found anything different from the motion, it was not anything the board could do.

After some discussion, Mr. Milian moved that “the board deny re-hearing the case. Mr. Starkweather seconded the motion.

Motion passed unanimously.

(For a verbatim version, please refer to the transcripts)

The meeting was adjourned at 6:30 P.M.

Prepared by: _____
Recording Secretary

Chairperson

Date: _____

USAFE STRUCTURES BOARD HEARING MINUTES OF JUNE 9TH, 2004

Members Present: James Cueva, C Gordon Loader, VC Abel Ramirez
Jose Vera James Starkweather Kevin Deeb
Alberto Milian

Staff: Michael Goolsby, Chief, Code Compliance Division
Latisha Byrd, Recording Secretary
Glenn Saks, Assistant County Attorney

Court Reporter: Lorena Ramos, Metro Dade Court Reporter

The regular meeting of the **UNSAFE STRUCTURES BOARD** was called to order at 2:30 P.M. on Wednesday, June 9th, 2004, on the 16th Floor, Conference Room 1605, of the Metro-Dade Flagler Building at 140 W. Flagler Street, Miami-Dade, Florida 33130.

Mr. Cueva requested a motion to approve and accept the minutes of the March 17, 2004 and April 21, 2004 Unsafe Structures Board Meeting. Mr. Starkweather moved to accept the minutes of the board meeting. Mr. Milian seconded the motion.

Motion passed unanimously.

(For a verbatim version, please refer to the transcripts)

Mr. Goolsby then called for the list of cases that were agreed upon, uncontested, withdrawn or deferred.

Mr. Goolsby proceeded to inform the members that the following City of Miami case was **withdrawn** per the Building Official.

City of Miami:

M04-010 1343 NW 1 Street

Mr. Goolsby then announced that the following Unincorporated Miami-Dade County and City of Miami cases have made **agreements with the Building Official:**

Unincorporated Miami-Dade County Cases:

DC200317957U	1370 NW 72 Street
DC200318134U	16321 SW 102 Place
DC200318660U	1075 NW 140 Street
DC200318753U	2121 NW 45 Street
DC200319029U	5325 NW 29 Court
DC200319587U	14721 Harrison Street
DC200320384U	9520 NW 8 Avenue
DC200320390U	1020 NW 116 Terrace
DC200320519U	1733 NW 81 Street
DC200320523U	1766 NW 89 Terrace
DC200321083U	2448 NW 81 Terrace
DC200421557U	12400 SW 152 Street

City of Miami:

M04-011	1910 SW 17 Street
M04-012	2130 SW 9 Street
M04-015	6915 NW 5 Court

Mr. Goolsby then announced that the following Unincorporated Miami-Dade County and City of Miami cases were **no show/no contest**:

Unincorporated Miami Dade Cases:

DC2003018681U	11705 SW 184 Street
DC200320387U	9201 NW 8 Avenue
DC200421313U	8851 SW 157 Avenue

City of Miami:

M04-014	3655 Florida Avenue
M04-017	4191 Ingraham Highway

Mr. Goolsby then announced that the following Unincorporated Miami-Dade County case was **deferred**:

Unincorporated Miami Dade Cases:

DC200320398U	7835 SW 127 Court
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City of Miami:

M04-013	2250 SW 34 Avenue
M04-016	1510 NW 19 Terrace

The cases and photographs were submitted to the Board for review was called by Mr. Goolsby.

Mr. Cueva announced that the board will be reviewing the cases during the period of the discussion of the old business that is listed on the agenda to speed up the process.

Status Report: (Turner Gilford Knight) – 7000 NW 41 Street

Mr. Tom Robertson, Assistant County Attorney, requested for an extension of time as indicated in the status report because of the quantity of work that needed to be completed. He informed the board that they have made significant progress and they have been in contact with Mr. Charles Danger, Building Official of Miami Dade Building Department and Chief Suarez, Miami Dade Fire Department who have no objection to what they are requesting.

Mr. Jose Perez, Division Manager of Construction Management, presented the status report for April to the board. He explained to the board that the biggest issue is the fire alarm which is 96% completed and the work will be finalized at the end of the month, but wanted an extension just to make sure everything was covered to allow ample time for inspections. He further explained to the Board that the Smoke Evacuation System was 45% completed, but they needed more time to finalize the work. He also explained that the Smoke Evacuate System contract ended in October 2003 and stated that² it is a more complex project than the fire alarms and that is the

reason why an extension is requested. He then explained to the Board that once the reports have been approved and agreed upon, they will forward it to Building Code Compliance.

Mr. Thomas informed the board that the Fire Department had requested that they have fire watch at all times. He also informed them that there is trained personnel on how to operate the system.

Chief Suarez, Miami Dade Fire Department stated that the Fire Department performed the fire watch in the beginning, but he did not feel comfortable to having his personnel doing this at this facility. Chief Suarez informed the board that the Fire Department talked with the Directors of Corrections Department and they decided to train the GSA Department and Correction Officers in case of an emergency.

Mr. Cueva asked if there were any family members present on behalf of any of the prisoners.

No one replied.

Mr. Milian asked if anyone know if there had been a fire at any of the Correction Facilities in the last 24 months.

Mr. Anthony Dawson, Assistant Director of Miami Dade Corrections, replied that he could not answer that because a lot of them have been self extinguished. ie. "trash fires"

Mr. Milian informed the Corrections Department that he was aware of a fire that took place in the last 24 months.

Mr. Dawson informed the board that Metro West had a fire in the last month that was extinguished by staff. He then added that a small fire took place in the kitchen of TGK recently, but was also extinguished by staff.

Mr. Milian then asked how many individuals were treated for injuries.

Mr. Dawson replied that there were no serious injuries, but they were taken to the hospital just for precautions.

Mr. Starkweather made a motion to grant the extension of 9 months and retain jurisdiction. Mr. Vera seconded.

Mr. Milian commented that the board hears from property owners who request additional time because of financial situation and how could they allow the County another extension when the prisoner's lives are still in danger. He informed the board that he will not vote for any additional extensions.

Mr. Goolsby administered a roll call vote as requested by the Chairman.

Motion passed. (Mr. Deeb and Mr. Milian were opposed).

(For a verbatim version, please refer to the transcripts)

After the Board reviewed each case file, Mr. Cueva requested a motion to consolidate the withdrawals, agreed and uncontested cases and uphold the decisions of the Building Official. Mr. Starkweather moved to accept the withdrawals, agreed and uncontested cases as called by Mr. Goolsby. Mr. Vera seconded the motion.

Motion passed unanimously.

(For a verbatim version, please refer to the transcripts)

Mr. Cueva informed those appellants who were able to come to an amicable agreement with the Building Official that the Board had ratified the agreements and they were free to leave.

Clarification of Unsafe Structures Board Order – 1421 NE 163 Street

Mr. Jeff Bartel, Representative of the 163rd Mall, stated that his presence was to witness the clarification of the Board Order for the 163rd Mall, which was heard at the February 18th, 2004 hearing.

Chief Suarez, Miami Dade Fire Department stated that the question today is whether the fire watch is to be monitored 24 hours 7 days a week by the Fire Department at the Mall. He explained to the Board that the code does not require fire watch to protect the property. He further explained that the code requires life safety provision. He informed the Board that the fire watch should be during the operation of the Mall by the Fire Dept.

Mr. Loader moved to clarify that the fire watch be monitored by the Fire Department during the operation of the mall hours. Mr. Starkweather seconded the motion.

Chief Pedro Bas informed the board that the Fire Department has access to a radio from the Mall Security. He also informed them that the mall has a security company that monitors after business hours and if an emergency occurs, they will call them on the radio and they feel comfortable with this process.

Mr. Goolsby administered a roll call vote as requested by the Chairman.

Motion passed. (Mr. Deeb and Mr. Milian were opposed).

(For a verbatim version, please refer to the transcripts)

Bi-Annual Review Report

Mr. Milian moved to amend the report to indicate that the quorum should be reduced to 5 members instead of 7 members due to the amount of members the Unsafe Structures Board currently. He added that this would avoid a problem with quorum that they had in the last year. Mr. Starkweather seconded the motion.

Mr. Cueva informed Ms. Charles that Paragraph 6 should be modified.

The Board voted to accept the Bi-Annual Review Report of the Unsafe Structures Board for 2002-03 with the modification. A motion was made by Mr. Cueva to accept the report of the Unsafe Structures Board for 2002-03 and seconded by Mr. Starkweather.

Motion passed unanimously.

(For a verbatim version, please refer to the transcripts)

The Building Officials and Appellants being heard by the Unsafe Structure Board were sworn in at 3:05 P.M. by the court reporter.

Mr. Goolsby called forth the first case to be heard by the Unincorporated Miami-Dade, Unsafe Structures Unit.

Unincorporated Miami-Dade County Case:

DC200421939U

4551 NW 201 Terrace

Mr. Spencer Errickson, Building Inspector, introduced photographs and a case resume into evidence to be reviewed by the Board.

Mr. Errickson gave an account of the structures (A), (B), (E), (F) & (G) and recommended that “said structure(s) are to be maintained secure, clean and sanitary. Free of debris, overgrown grass or weeds and free of discoloration or graffiti. Said structures must be repaired or completed with plans prepared by an Architect/Engineer or a qualified individual. A building permit must be obtained for structures (A), (B), (E), (F) & (G) for all repairs or items to be completed for all structures. The permit documents shall be submitted FIRST to the Unsafe Structures Unit for approval. The building permit must be obtained by a licensed contractor or a qualified homeowner pursuant to Section 10-5(2) of the Miami-Dade County Code within sixty (60) days from today. The completion or repair of said structures shall conform to the Florida Building Code unless application is made pursuant to the provisions of Section 8-11(g) of the code of Miami Dade County and shall be completed within ninety (90) days after obtaining the permit. Completion shall be determined when a final inspection approval is obtained on the building permit. If any of the above conditions are not complied with, said structures shall be demolished by the enforcing municipality as soon as possible.”

Mr. Errickson then gave the status of structures (C) & (D) and recommended that “said structures shall be demolished by a licensed contractor or a qualified homeowner pursuant to Section 10-5(2) of the Miami-Dade County Code with a demolition permit obtained within thirty (30) days from today from the Unsafe Structures Unit. All debris resulting from the demolition shall be removed from the premises. If any of the above conditions are not complied with, said structure shall be demolished by the enforcing municipality as soon as possible.”

Ms. Stella Gonzalez, daughter of owner, stated that she just gave birth to a new born and requested for additional time due to financial situation.

Mr. Milian asked how much time was she requesting.

Ms. Gonzalez answered that she will need at least 6 months to start the process.

Mr. Ramirez asked Mr. Errickson how long will it take to get a permit without a getting a survey.

After some discussion, Mr. Milian moved that “said structure(s) are to be maintained secure, clean and sanitary. Free of debris, overgrown grass or weeds and free of discoloration or graffiti. Said structures must be repaired or completed with plans prepared by an Architect/Engineer or a qualified individual. A building permit^{- 5} must be obtained for structures (A), (B), (E), (F) & (G)

for all repairs or items to be completed for all structures. The permit documents shall be submitted FIRST to the Unsafe Structures Unit for approval. The building permit must be obtained by a licensed contractor or a qualified homeowner pursuant to Section 10-5(2) of the Miami-Dade County Code within two hundred seventy (270) days from today. The completion or repair of said structures shall conform to the Florida Building Code unless application is made pursuant to the provisions of Section 8-11(g) of the code of Miami Dade County and shall be completed within three hundred sixty-five (365) days after obtaining the permit. Completion shall be determined when a final inspection approval is obtained on the building permit. If any of the above conditions are not complied with, said structures shall be demolished by the enforcing municipality as soon as possible. Said structures (C) & (D) and recommended that "said structures shall be demolished by a licensed contractor or a qualified homeowner pursuant to Section 10-5(2) of the Miami-Dade County Code with a demolition permit obtained within one hundred eighty (180) days from today from the Unsafe Structures Unit. All debris resulting from the demolition shall be removed from the premises. If any of the above conditions are not complied with, said structures shall be demolished by the enforcing municipality as soon as possible." Mr. Starkweather seconded the motion.

Mr. Goolsby administered a roll call vote as requested by the Chairman.

Motion passed unanimously.

(For a verbatim version, please refer to the transcripts)

Mr. Goolsby then called forth the second case to be heard by the Unincorporated Miami-Dade, Unsafe Structures Unit.

Unincorporated Miami-Dade County Case:

DC200214516U

13380 SW 2 Terrace

Mr. Orlando Vega, Building Inspector, introduced photographs and a case resume into evidence to be reviewed by the Board.

Mr. Vega gave an account for structure (A) and recommended that "said structure be secured within five (5) working days. The following securing method is approved: Storm Shutters (1/2 plywood, bolts and lumber as specs). The structure(s) are to be maintained secure, clean and sanitary. Free of debris, overgrown grass or weeds and free of discoloration or graffiti. Said structures must be repaired or completed with plans prepared by an Architect/Engineer or a qualified individual. A building permit must be obtained for structure (A) for all repairs or items to be completed for all structure. The permit documents shall be submitted FIRST to the Unsafe Structures Unit for approval. The building permit must be obtained by a licensed contractor or a qualified homeowner pursuant to Section 10-5(2) of the Miami-Dade County Code within sixty (60) days from today. The completion or repair of said structures shall conform to the Florida Building Code unless application is made pursuant to the provisions of Section 8-11(g) of the code of Miami Dade County and shall be completed within one hundred eighty (180) days after obtaining the permit. Completion shall be determined when a final inspection approval is obtained on the building permit. If any of the above conditions are not complied with, said structures shall be demolished by the enforcing municipality as soon as possible."

Mr. Vega then gave the status for structures (B) & (C) and recommended that “said structures shall be demolished by a licensed contractor or a qualified homeowner pursuant to Section 10-5(2) of the Miami-Dade County Code with a demolition permit obtained within sixty (60) days from today from the Unsafe Structures Unit. All debris resulting from the demolition shall be removed from the premises. If any of the above conditions are not complied with, said structures shall be demolished by the enforcing municipality as soon as possible.”

Ms. Maria Temple, property owner, stated that she bought the property without the knowledge of the violations of the home.

Mr. Vega informed the board that there was also a zoning issue with the set back encroaches.

Mr. Cueva explained to the property owner the process of going before the Zoning board.

Mr. Deeb asked if there was a conflict with him voting on this case, since he lived in the neighborhood.

After some discussion, the Unsafe Structures Board took no action due to lack of quorum. (Mr. Kevin Deeb recused himself from hearing this matter). There were only six (6) available voting members: James Cueva, Gordon Loader, Alberto Milian, Abel Ramirez, James Starkweather, and Jose Vera.

Mr. Goolsby then called forth the third case to be heard by the Unincorporated Miami-Dade, Unsafe Structures Unit.

Unincorporated Miami-Dade County Case:

DC200005426U

6601 NW 25 Avenue

Mr. Spencer Errickson, Building Inspector, introduced photographs and a case resume into evident to be reviewed by the Board.

Mr. Errickson gave an account of the structures (A), (B), (C), (D) & (E) and recommended that “said structures be secured within five (5) working days. The following securing method is approved: Storm Shutters (1/2 plywood, bolts and lumber as specs) and Fencing. The structure(s) are to be maintained secure, clean and sanitary. Free of debris, overgrown grass or weeds and free of discoloration or graffiti. Said structures must be repaired or completed with Engineer’s Certification and Architect/Engineer’s sealed plans. A building permit must be obtained for structures for all repairs or items to be completed for all structures. The permit documents shall be submitted FIRST to the Unsafe Structures Unit for approval. The building permit must be obtained by a licensed contractor or a qualified homeowner pursuant to Section 10-5(2) of the Miami-Dade County Code within one hundred twenty (120) days from today. The completion or repair of said structures shall conform to the Florida Building Code unless application is made pursuant to the provisions of Section 8-11(g) of the code of Miami Dade County and shall be completed within one hundred eighty (180) days after obtaining the permit. Completion shall be determined when a final inspection approval is obtained on the building permit. If any of the above conditions are not complied with, said structures shall be demolished by the enforcing municipality as soon as possible.”

Motion for Re-Hearing/Modification of Board Order - Case No. DC200005426U
Annie Coleman Gardens - 6601 NW 25 Avenue

Mr. Cueva raised some question on jurisdiction and processing. He wondered whether the Board could grant a rehearing for the motion.

Mr. Milian asked what mandate the board has on this particular case.

Mr. Terrence Smith, Assistant County Attorney, answered that if it is more than 30 days to challenge, it will conflict with a Federal Regulation.

Mr. Loader stated that if the court found anything different from the motion, it was not anything the board could do.

After some discussion, Mr. Milian moved that “the board deny re-hearing the case. Mr. Starkweather seconded the motion.

Motion passed unanimously.

(For a verbatim version, please refer to the transcripts)

The meeting was adjourned at 6:30 P.M.

Prepared by: _____
Recording Secretary

Chairperson

Date: _____